

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1985

**HELD IN THE CITY OF MONTGOMERY,
COMMENCING TUESDAY, FEBRUARY 5, 1985**



Vol. 2

**WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE**

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CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. Legislative roster, listing names and addresses of all members of the current Legislature by district;
2. A listing of legislative days, with calendar dates and pages on which each day begins;
3. A topic index of general bills listed alphabetically by subject matter;
4. A topic index of local bills listed alphabetically by counties;
5. A topic index of resolutions;
6. A miscellaneous index, including all items not categorized as bills or resolutions;
7. A sponsor index, listing all Senate bills and resolutions alphabetically by author;
8. A Senate bill numerical index, with short titles;
9. A House bill numerical index, with short titles;
10. A Senate joint resolution, Senate resolution numerical index, with short titles;
11. House joint resolution numerical index, with short titles;
12. Act Index.

JOURNAL
OF THE
SENATE
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STATE OF ALABAMA
REGULAR SESSION OF 1985

TWENTY-FIFTH LEGISLATIVE DAY

WEDNESDAY, MAY 1, 1985

The Senate met pursuant to adjournment, the Honorable Bobby Denton, acting President and Presiding Officer of the Senate presiding.

PRAYER

The Session was opened with prayer by the Reverend Jiles Williams, Jr., Pastor, New Providence Baptist Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Brian Wesley Moore, Legislative Aide to the Honorable Danny Corbett.

ROLL CALL

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

JOURNAL

On motion of Senator Smith (J), the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fourth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Dial (With Notice and Proof):

S. 720. Relating to Cleburne County; to authorize and make provision for the incorporation in the City of Heflin of the Heflin Downtown Development Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of Heflin, to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area established by ordinance of the city council; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, any by mortgages and deed of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them

to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgage and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes and to exempt such Authority from payment of certain charges to Judge of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivision, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; and to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 720, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

REPORTS OF COMMITTEES

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Drinkard (With Notice and Proof):

S. 710. Relating to the Sixteenth Judicial Circuit; providing for supplemental allowance, payable from the county general fund, for the circuit clerk of such circuit; and repealing conflicting laws, relating to the compensation of the circuit clerk of the said judicial circuit; providing that such allowance shall be calculated on a certain percentage of the state compensation for such official; and providing for an effective date.

By Senator Sanders (With Notice and Proof):

S. 713. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks; providing for the hiring of a part-time clerk; repealing Act No. 119, H. 115, of the 1978 Special Session (Acts 1978, p. 1835), Act No. 316, H. 719, of the 1939 Regular Session (Acts 1939, p. 205) and Act No. 40, H. 215 of the 1951 Regular Session (Acts 1951, p. 248).

By Senator Bedford (With Notice and Proof):

S. 717. Relating to Franklin County; providing for the disposition of the revenue resulting from certain fees assessed on transactions performed by the tax assessor.

By Senator Bedford (With Notice and Proof):

S. 718. Relating to Marion County; providing for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit criminal court in Marion County.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bill has been placed at the end of the Regular Order Calendar for today, to-wit:

By Senators Bedford, Menton, and Corbett (With Substitute):

S. 171. To amend Section 41-4-90, Code of Alabama, 1975, as amended, to prohibit proration of salaries and fringe benefits as authorized by law.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator Smith (J):

S. 83. To amend Section 22-50-22, Code of Alabama 1975, which exempts the superintendent of, or a physician of, the mental health board from being a witness in certain cases, so as to permit depositions to be taken by the plaintiffs, defendants or the state or the superintendent or any physician of a state mental health facility or hospital in criminal and civil proceedings, upon proper notice.

By Senator Smith (J) (With Substitute):

S. 315. To provide that a convicted felon shall serve his sentence in a state penal facility unless the sentencing judge directs that such sentence is to be served in a county jail.

REGULAR SESSION
25th Day

1255

By Senator deGraffenried:

S. 578. To amend Section 41-1-6 of the Code of Alabama 1975, so as to increase the dollar value from \$100.00 to \$500.00 for nonconsumable personal property which has to be reported by the property manager of each department or agency of the state, and decreasing the frequency of the report from every six months to once every two years.

By Senator deGraffenried:

S. 318. To amend Section 41-9-374 of the Code of Alabama 1975, relating to certain appropriation provisions for the Alabama commissioners on uniform state laws, so as to remove the limitation on funds payable to the national conference of commissioners on uniform state laws.

By Senator deGraffenried:

S. 362. To amend Section 11-89A-6 of the Code of Alabama 1975, relating to boards of directors for solid waste collection and disposal authorities, so as to provide further for the membership of such boards.

By Senator Cooley (With Substitute):

S. 640. To require that all election results be reported by precinct to the Secretary of State.

By Senator Cooley:

S. 372. To allow certified copies of case action summary or docket sheets or other court records to be admitted into evidence for the purpose of proving that a person has been previously convicted of a crime.

By Senators Menton, Goodwin, Smith (B), and Foshee:

S. 400. To amend further sections 40-23-4 and 40-23-62 of the Code of Alabama 1975, which provide for certain exemptions from sales and use taxes, so as to include certain materials, supplies and equipment used in offshore federal waters; and to provide for an effective date.

By Senator Holmes:

S. 163. To amend sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-225, and 8-17-226, Code of Alabama 1975, which provide for the regulation of fireworks in Alabama, so as to revise the definition of "retailer" to include provisions for seasonal retailers; to revise the definition of "distributor" to include provisions for all persons making sales of fireworks for resale; to require all permits to be displayed; to require persons shipping fireworks within the state to apply for permits; to prohibit mail order sales of fireworks; to provide further for permit fees and the distribution of proceeds therefrom; to provide further for the prohibition of the sale of certain fireworks; to provide further for the display of fireworks; to prohibit sales of fireworks to persons under 16, and to provide for the sale of confiscated fireworks.

By Senators Bennett and Cabaniss:

S. 423. To further provide for income tax deductions for corporations so as to treat certain donations to the state, or to educational or charitable institutions in the same manner as such donations by individuals.

By Senators Bennett and Bedford (With Substitute):

S. 10. To appropriate a certain portion from the interest income derived from investment of certain oil lease revenues for the creation of an "Alabama Environmental Protection Superfund"; to provide that such fund shall be used for clean-up operations of certain toxic and hazardous waste sites; to provide that such fund shall be administered by the Alabama Department of Environmental Management; to direct said administration department to secure federal matching funds whenever possible and to provide for future appropriations for such superfund.

By Senator Bennett:

S. 380. To provide that support shall be ordered paid directly to the Department of Pensions and Security or its designee in any case where the Department has been subrogated to the rights of a child or other person to collect and receive support payments from the obligor, including but not necessarily limited to those instances in which the child or other person is receiving Aid to Dependent Children, Aid to Families with Dependent Children or has otherwise made application for collection services through the Department pursuant to Title IV-D of the Social Security Act and amendments thereto; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

By Senator Ellis:

S. 390. To grant to the Alabama Court of Civil Appeals the power to hire additional staff attorneys.

By Senator Ellis:

S. 389. To grant to the Alabama Court of Civil Appeals the power to administer oaths, take affidavits, or acknowledgements.

By Senators Cabaniss and Bedsole (With Substitute):

S. 242. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage or security and to provide criminal sanctions for violating the provisions of this Act.

By Senator Barron:

S. 248. To provide in addition to benefits now received, a fixed cost-of-living increase to all surviving beneficiaries of members of the Employees' Retirement System of Alabama who became eligible for such benefits prior to October 1, 1984, however, no survivor beneficiary of an employee under the Employees' Retirement System whose benefits are based primarily upon service as an employee of an employer participating under Section 36-27-6, Code of Alabama 1975, shall be entitled to receive said increase unless the employer by which he was employed elects to come under the provisions of this act; to provide that any person whose eligibility to receive Medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase; and to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama.

REGULAR SESSION
25th Day

1257

By Senators Foshee, Smith (J), Dixon, Holmes, and Barron (With Amendment):

S. 33. To amend Sections 34-9-1, 34-9-9, 34-9-11, 34-9-17, 34-9-18, 34-9-22, 34-9-25, 34-9-26, 34-9-27, 34-9-29, 34-9-41, and 34-9-43 of the Code of Alabama 1975, relating to dentists and dental hygienists, so as to regulate further the practice of dentistry and dental hygiene; to regulate further the Board of Dental Examiners; to regulate the administration of anesthesia by dentists; and to provide sanctions.

BUDGET ISOLATION RESOLUTIONS

Senator Hand, B. I. R., S. B. 706, Rules.

Also:

Senator Hand, B. I. R., S. B. 705, Rules.

Also:

Senator Goodwin, B. I. R., H. B. 768, Rules.

Also:

Senator Horn, B. I. R., S. B. 662, Rules.

RESOLUTION

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 232. COMMENDING CHARLES A. SULLINS OF HUNTSVILLE, ALABAMA, FOR EXTRAORDINARY SERVICE TO THE LEGAL PROFESSION.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

THE BILL:

S. 83. To amend Section 22-50-22, Code of Alabama 1975, which exempts the superintendent of, or a physician of, the mental health board from being a witness in certain cases, so as to permit depositions to be taken by the plaintiffs, defendants or the state or the superintendent or any physician of a state mental health facility or hospital in criminal and civil proceedings, upon proper notice.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Bailey	Dixon	Holmes	Smith (B)	
Bedford	Drinkard	Horn	Smith (J)	
Cabaniss	Ellis	Little	Strong	
Corbett	Goodwin	Menton		—18

Nays: —0

THE BILL:

S. 315. To provide that a convicted felon shall serve his sentence in a state penal facility unless the sentencing judge directs that such sentence is to be served in a county jail.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 315, to-wit:

SUBSTITUTE FOR S. B. 315**A BILL
TO BE ENTITLED
AN ACT**

To provide that a convicted felon shall serve his sentence in a state penal facility unless the sentencing judge directs that such sentence is to be served in a county jail; to provide for certain conditions and requirements in the event a convicted felon or state inmate shall be assigned to a county jail to serve a portion of a sentence; and to provide for exceptions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) All laws to the contrary notwithstanding, whenever a convicted felon is sentenced to a period of incarceration, such felon shall be placed as soon as possible after sentencing in a state penal facility unless the sentencing judge specifically directs that such felon's sentence is to be served in a county jail.

(b) Where a convicted felon is assigned to a county jail and given trustee status, then the victim of the crime for which the felon was convicted shall be given notice by the county sheriff of such assignment and status.

(c) There shall be no unsupervised travel by any such inmate in a county jail outside the county in which the jail is located without the supervision of a law enforcement officer except on work release and the inmate's work release employment requires travel; provided, however, the sheriff of the county where the inmate is working on work release must be notified and must approve of that inmate working in his county.

(d) A trustee should not be allowed to leave a county jail except at the specific direction of the sheriff or a deputy sheriff, warden or matron.

(e) No inmate convicted of one of the following offenses shall be given trustee status:

- (1) Any type of sex offense;
- (2) Trafficking in controlled substances;
- (3) Kidnapping of a child in the first degree;
- (4) Capital murder;
- (5) A second conviction for murder in any degree.

Section 2. (a) The reason for retaining a convicted felon in a county jail shall be to perform a specific job and the county sheriff shall complete a form furnished by the department of corrections once a year specifically

identifying the exact type of work performed by such inmate during the previous year.

(b) A request by a sheriff to the department of corrections for a state inmate to serve a portion of a sentence in a county jail shall be countersigned by a member of the county commission. However, the sheriff's request to the county can only be disapproved if there is no reasonable work for such inmate to perform for the requesting sheriff or the county jail. Further, if the department of corrections finds that there is need for the particular inmate's job skills in that particular jail, then the department of corrections may proceed and place the said inmate in such county jail notwithstanding the failure of a county commissioner to countersign the request.

(c) The department of corrections may temporarily house state prisoners in county jails if there is an overcrowding problem in the state facilities, but they must reimburse counties for the cost of housing those inmates according to other provisions of state law.

(d) In addition to the provisions provided herein, the department of corrections is empowered to promulgate and publish regulations governing the type of state prisoners that can be placed in county jails.

Section 3. No trustee shall have keys to his own cell or to the cells of other inmates located in a county jail.

Section 4. This act does not affect or impede the ability of a circuit judge to sentence someone specifically to serve time in a county jail under the split sentence act and inmates serving time in the county jails for state felony offenses that have been sentenced under the split sentence act by circuit judges do not come within the provisions of this act.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

BUDGET ISOLATION RESOLUTION

Senator deGraffenried requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator deGraffenried, B. I. R., S. B. 578, Rules.

FURTHER CONSIDERATION OF S. B. 315

The Senate proceeded to further consideration of the Bill, S. B. 315. The question was on the committee substitute.

And said substitute was then adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Aldridge	deGraffenried	Goodwin	Smith (B)	
Bailey	Denton	Hand	Smith (J)	
Bishop	Dixon	Holmes	Strong	
Cabaniss	Ellis	Little	Teague	
Corbett				—20

Nays: —0

And said Bill, S. B. 315, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Smith (B)	
Aldridge	Denton	Holmes	Smith (J)	
Bailey	Dixon	Langford	Strong	
Cabaniss	Ellis	Little	Teague	
Corbett	Foshee	Menton		—18

Nays: —0**BUDGET ISOLATION RESOLUTION**

Senator Teague requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Teague, B. I. R., H. B. 327, Rules.

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 362. To amend Section 11-89A-6 of the Code of Alabama 1975, relating to boards of directors for solid waste collection and disposal authorities, so as to provide further for the membership of such boards.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Covington	Hand	Smith (B)	
Aldridge	deGraffenried	Holmes	Smith (J)	
Bailey	Dixon	Langford	Strong	
Bedsole	Ellis	Little	Teague	
Cabaniss	Goodwin	Menton		—18

Nays: —0**THE BILL:**

S. 640. To require that all election results be reported by precinct to the Secretary of State.

was taken up.

The Standing Committee on Governmental Affairs reported the following substitute for the Bill, S. B. 640, to-wit:

SUBSTITUTE FOR S. B. 640

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 17-13-7 of the Code of Alabama 1975, relating to elections, so as to provide further that elections be reported by precincts to the secretary of state and each county in the state shall furnish the secretary of state with the location of all voting places.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-13-7 of the Code of Alabama 1975 is hereby amended to read as follows:

“§17-13-7.

“(a) The board of supervisors must, as soon as they have ascertained the result of an election, report to the secretary of state and make on blanks furnished by the secretary of state certificates stating the exact number of votes cast in each precinct in the county for each person voted for and the office for which such person was voted for, and file the certificates with the judge of probate who must immediately forward such certificate as to all members of the legislature and to all civil officers who are to be commissioned by the governor, except the attorney general, auditor, secretary of state, treasurer and commissioner of agriculture and industries, to the secretary of state.

“(b) The governing body of each county in the state of Alabama shall periodically furnish the secretary of state with the current location and a map of all voting places within such county.”

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Denton	Hand	Smith (B)	
Bailey	Dixon	Holmes	Smith (J)	
Cabaniss	Ellis	Langford	Teague	
Covington	Foshee	Little		—18

Nays: —0

And said Bill, S. B. 640, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Mitchem	
Aldridge	Denton	Hand	Smith (B)	
Bailey	Dixon	Langford	Smith (J)	
Cabaniss	Ellis	Little	Teague	
Covington	Foshee	Menton		—18

Nays:

—0

THE BILL:

S. 372. To allow certified copies of case action summary or docket sheets or other court records to be admitted into evidence for the purpose of proving that a person has been previously convicted of a crime.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Denton	Hand	Mitchem	
Bailey	Dixon	Holmes	Smith (B)	
Bedsole	Ellis	Langford	Teague	
Covington	Foshee	Little		—18

Nays:

—0

THE BILL:

S. 163. To amend sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-225, and 8-17-226, Code of Alabama 1975, which provide for the regulation of fireworks in Alabama, so as to revise the definition of "retailer" to include provisions for seasonal retailers; to revise the definition of "distributor" to include provisions for all persons making sales of fireworks for resale; to require all permits to be displayed; to require persons shipping fireworks within the state to apply for permits; to prohibit mail order sales of fireworks; to provide further for permit fees and the distribution of proceeds therefrom; to provide further for the prohibition of the sale of certain fireworks; to provide further for the display of fireworks; to prohibit sales of fireworks to persons under 16, and to provide for the sale of confiscated fireworks.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 1.

Yeas:

Senators:	Denton	Holmes	Menton	
Aldridge	Dixon	Horn	Smith (B)	
Bailey	Ellis	Langford	Strong	
Bedsole	Goodwin	Little	Teague	
Corbett	Hand			—17

Nay Senator Parsons

—1

THE BILL:

S. 423. To further provide for income tax deductions for corporations so as to treat certain donations to the state, or to educational or charitable institutions in the same manner as such donations by individuals.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 1.

Yeas:

Senators:	Denton	Hand	Parsons	
Aldridge	Dixon	Holmes	Smith (B)	
Bailey	Ellis	Langford	Strong	
Bedford	Foshee	Menton	Teague	
Cabaniss	Goodwin			—17

Nay Senator Little —1

THE BILL:

S. 10. To appropriate a certain portion from the interest income derived from investment of certain oil lease revenues for the creation of an "Alabama Environmental Protection Superfund"; to provide that such fund shall be used for clean-up operations of certain toxic and hazardous waste sites; to provide that such fund shall be administered by the Alabama Department of Environmental Management; to direct said administration department to secure federal matching funds whenever possible and to provide for future appropriations for such superfund.

was taken up.

The Standing Committee on Health and Welfare reported the following substitute for the Bill, S. B. 10, to-wit:

SUBSTITUTE FOR S. B. 10

**A BILL
TO BE ENTITLED
AN ACT**

To create the "Alabama Environmental Protection Superfund"; to provide that such fund shall be used for clean-up operations of certain toxic and hazardous waste sites; to provide that such fund shall be administered by the Alabama Department of Environmental Management; to direct said administration department to secure federal matching funds whenever possible and to provide for a conditional appropriation for such superfund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created and established in the state treasury a reserve fund to be known as the "Alabama Environmental Protection Superfund." Such amounts as are periodically requested by the director of the department of environmental management and which are approved by the governor, conditioned upon the condition of the state treasury, shall be so conditionally appropriated to such fund from interest derived from the investment of any funds received by the state or any agency or instrumentality thereof as all or part of the consideration for the sale, leasing or other disposition by the state or any agency or instrumentality thereof of any right

to explore and drill for or to produce oil, gas or other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area, where the lease or sale was entered into after August 1, 1984. Such superfund, as herein created, shall be administered by the Alabama Department of Environmental Management which shall cause such funds to be used for clean-up operations of toxic and hazardous waste sites in this state which would not otherwise qualify for superfund programs administered by the federal government. No monies in the "Alabama Environmental Protection Superfund" shall be used for any toxic and hazardous waste clean-up operations except on recommendation of the Alabama Department of Environmental Management and approval of such expenditure by the Alabama Department of Environmental Management Commission. In the efficient performance of its administrative duties, said department shall at all times seek to secure federal matching funds for such superfund as might be offered, from time to time, by the federal Environmental Protection Agency.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

After the expiration of two hours, in accordance with Senate Rule 14 (6), the Senate proceeded to the next order of business for today.

REPORT FROM RULES

Senator Horn, B. I. R., S. B. 336, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton
Aldridge	Covington	Hand	Mitchem
Bedford	deGraffenried	Holmes	Parsons
Bedsole	Denton	Horn	Smith (J)
Bennett	Ellis	Langford	Strong
Bishop	Figures	Little	Teague
Cabaniss	Foshee		

—25

Nays:

—0

Senator Langford, B. I. R., S. B. 623, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton
Aldridge	Covington	Hand	Mitchem
Bedford	deGraffenried	Holmes	Parsons
Bedsole	Denton	Horn	Smith (J)
Bennett	Ellis	Langford	Strong
Bishop	Figures	Little	Teague
Cabaniss	Foshee		

—25

Nays:

—0

REGULAR SESSION
25th Day

1265

Senator Ellis, B. I. R., S. B. 390, Rules reported favorably, lost.

Yeas 12; Nays 1.

Yeas:

Senators:	Goodwin	Langford	Parsons
Bailey	Hand	Little	Smith (J)
Bedford	Holmes	Menton	Strong
Denton			

—12

Nay Senator Ellis —1

On motion of Senator Ellis, the Senate reconsidered the vote by which the B. I. R., S. B. 390, Senator Ellis, was lost, and further moved that the motion to reconsider be postponed temporarily.

BUDGET ISOLATION RESOLUTION

Senator Holmes requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Holmes, B. I. R., S. B. 707, Rules.

UNFINISHED BUSINESS

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 331. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1986.

and pending Teague amendment to the Menton substitute, which said amendment and substitute are set out in the Journal of the Senate for the Twenty-Fourth Legislative Day.

On motion of Senator Denton, said amendment was laid on the table.

Senator Little offered the following amendment to the Menton substitute for the Bill, H. B. 331, to-wit:

AMENDMENT TO MENTON SUBSTITUTE FOR H. B. 331

Amend substitute for H. B. 331 on Page 7, Line 7 by deleting the number "400,000" and inserting in lieu thereof the number "225,000".

Further amend substitute for H. B. 331 on Page 7, Line 14 by deleting the number "8,000,000" and inserting in lieu thereof the number "8,175,000".

Which was adopted.

Senator Bailey offered the following amendment No. 1 to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend House Bill No. 331 Page 17 Line 10, by striking out \$50,000 and inserting in lieu thereof "\$80,000".

On motion of Senator Teague, said amendment was laid on the table.

RECESS

At 3:55 A.M., on motion of Senator Teague, the Senate took a recess until 5 o'clock A.M.

The recess period having expired, the Senate was called to order by the Honorable Earl Goodwin, acting President and Presiding Officer of the Senate. A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. B. 331

The Senate proceeded to further consideration of the Bill, H. B. 331. The question was on the Menton substitute, as amended.

Senator Bailey offered the following amendment No. 2 to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend H. B. No. 331 Page 34 Line 17, strike "1,350,000" and insert in its place "400,000", Line 21 strike \$1,630,360 and insert "400,000", Line 23 strike \$1,630,360 and insert "400,000".

On motion of Senator Bailey, further consideration of said amendment No. 2 was postponed temporarily.

Senator Mitchem offered the following amendment to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend substitute, as amended, for House Bill 331 on page 52 after line 38 by inserting the following:

**"13. PARENTS ANONYMOUS OF
ALABAMA:**

(a) Social Services Program		75,000
SOURCE OF FUNDS:		
(1) ASETF	75,000	
<hr/>		
Total Parents Anonymous of Alabama	75,000	75,000"
<hr/>		

Senator Mitchem moved that said amendment be adopted, which motion was lost.

Senator Cabaniss offered the following amendment No. 1 to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend substitute, as amended, for House Bill 331 in Section 3 (A)(5) on page 4, lines 12, 14, and 16 by deleting the figure "500,000" and inserting in lieu thereof the figure "1,850,000".

Further amend substitute, as amended, for House Bill 331 in Section 3 (A) (16) on page 34 by deleting line 17 in its entirety and relettering the following subsection appropriately.

REGULAR SESSION
25th Day

1267

Further amend substitute, as amended, for House Bill 331 in Section 3 (A) (16) on page 34 on lines 21 and 23 by deleting the figure "1,630,360" and inserting in lieu thereof the figure "280,360".

On motion of Senator Teague, said amendment was laid on the table.

Yeas 15; Nays 9.

Yeas:

Senators:	Corbett	Foshee	Menton	
Aldridge	Covington	Goodwin	Smith (B)	
Bishop	Denton	Holmes	Strong	
Cooley	Drinkard	Langford	Teague	—15

Nays:

Senators:	Bedsole	Dixon	Hand	
Bailey	Cabaniss	Ellis	Mitchem	
Bedford	deGraffenried			—9

Senator Cabaniss then offered the following amendment No. 2 to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend House Bill 331 in Section 3 (A) (11) (a) (19) on page 25 line 12 by deleting the figure "6,000,000" and inserting in lieu thereof the figure "11,000,000".

Further amend substitute, as amended, for House Bill 331 in Section 3 (A) (11) (a) (19) on page 25 by deleting lines 13 through 34 in their entirety and inserting in lieu thereof the following:

"It is the intent of the Legislature that this appropriation be distributed to local boards of education for teachers employed from local funds as of January 1, 1985. It is not the intent that this appropriation be used to fund locally funded teachers employed after January 1, 1985."

Further amend substitute, as amended, for House Bill 331 in Section 3 (A) on page 14 lines 24, 26, and 28 by deleting the figure "459,800,490 and inserting in lieu thereof the figure "464,800,490".

Further amend substitute, as amended, for House Bill 331 in Section 3 (A) (38) on page 45 lines 34, 36, and 38 by deleting the figure "14,815,114" and inserting in lieu thereof the figure "9,815,114".

On motion of Senator Teague, said amendment was laid on the table.

Yeas 18; Nays 8.

Yeas:

Senators:	Covington	Foshee	Menton	
Aldridge	deGraffenried	Goodwin	Smith (B)	
Bishop	Denton	Holmes	Strong	
Cooley	Drinkard	Horn	Teague	
Corbett	Ellis	Langford		—18

Nays:

Senators:	Bedsole	Dial	Little
Bailey	Cabaniss	Dixon	Mitchem
Bedford			

—8

Senator Cabaniss then offered the following amendment No. 3 to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend substitute, as amended, for H. B. 331 in Section 3 (A) (5) on page 4, lines 12, 14 and 16 by deleting the figure "500,000" and inserting in lieu thereof the figure "1,850,000".

Further amend the substitute, as amended, for H. B. 331 in Section 3 (A) (38) on page 45, lines 34, 36 and 38 by deleting the figure "14,815,114" and inserting in lieu thereof the figure "13,465,114".

On motion of Senator Teague, said amendment was laid on the table.

Yeas 16; Nays 10.

Yeas:

Senators:	Covington	Foshee	Langford
Aldridge	deGraffenried	Goodwin	Menton
Bishop	Denton	Holmes	Smith (B)
Cooley	Drinkard	Horn	Teague
Corbett			

—16

Nays:

Senators:	Bedsole	Dixon	Little
Bailey	Cabaniss	Ellis	Mitchem
Bedford	Dial	Hand	

—10

Senator Dial offered the following amendment to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend substitute, as amended, for House Bill 331 on page 14, lines 24, 26 and 28 by striking the figure "459,800,490", and inserting in lieu thereof the figure "462,800,490".

Further amend substitute, as amended, for House Bill 331 on page 26 after line 34 by adding a new sub-section (25) as follows:

“(25) Additional Teacher
Units for Accredited
Schools 3,000,000

Funded teacher units
for appropriation to lo-
cal boards of education
to fund one (1) addi-
tional teacher unit in
each school that has
met the qualifications

of being a State Accredited school by the State Department of Education; and one (1) additional teacher unit for each school that has met the qualifications of an accredited school by the Southern School Accrediting Association. If this amount is insufficient to meet the demands, the amount shall be prorated to each qualified school."

On motion of Senator Corbett, said amendment was laid on the table.

Yeas 15; Nays 11.

Yeas:

Senators:	Corbett	Foshee	Menton	
Aldridge	Covington	Goodwin	Smith (B)	
Bishop	Denton	Holmes	Strong	
Cooley	Drinkard	Langford	Teague	—15

Nays:

Senators:	Bedsole	Dial	Hand	
Bailey	Cabaniss	Dixon	Little	
Bedford	deGraffenried	Ellis	Mitchem	—11

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate Bill:

S. 47. To amend Article VII of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the Board of Managers of the City of Birmingham Retirement and Relief System so as to provide that participant's loans shall be repaid in a period of forth-eight (48) months or less from the date of such loan and to provide that interest be charged on such loans in such amount as may be determined in the discretion of the Board, but not less than seven percent (7%) per annum.

And the Speaker of the House has appointed as Committee on the part of the House Reps. Gray, McDowell and Trammell.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 194. COMMENDING R. WAYNE THOMPSON OF DALEVILLE, ALABAMA FOR OUTSTANDING SERVICE TO THE ALABAMA COOPERATIVE EXTENSION SERVICE.

Also:

S. J. R. 200. COMMENDING RUTH L. GALBRAITH, DEAN OF THE AUBURN UNIVERSITY SCHOOL OF HOME ECONOMICS.

Also:

S. J. R. 201. MOURNING THE DEATH OF ISADORE PIZITZ OF BIRMINGHAM, ALABAMA.

Also:

S. J. R. 205. COMMENDING THE ALABAMA CRIPPLED CHILDREN SERVICE ON THE OCCASION OF ITS FIFTIETH ANNIVERSARY.

Also:

S. J. R. 207. CONGRATULATING E. J. "BUSTER" GILBERT OF HIS RETIREMENT FROM THE DEPARTMENT OF PUBLIC SAFETY.

Also:

S. J. R. 209. COMMENDING THE SOIL CONSERVATION SERVICE FOR THEIR 50 YEARS OR GOLDEN ANNIVERSARY ON APRIL 27, 1985.

Also:

S. J. R. 210. COMMENDING THE BLANDING FAMILY ON THE OCCASION OF ITS ANNUAL REUNION FOR THE MANY TALENTED CITIZENS IT HAS GIVEN TO THE STATE OF ALABAMA.

Also:

S. J. R. 211. COMMENDING MR. ROBERT VEITCH FOR OUTSTANDING SERVICE TO THE ALABAMA SPORTS HALL OF FAME.

Also:

S. J. R. 213. NAMING THE DIABETES HOSPITAL LOCATED AT 1808 7TH AVENUE, SOUTH, BIRMINGHAM, ALABAMA, THE "BURIS R. BOSHELL DIABETES RESEARCH AND EDUCATION HOSPITAL."

Also:

S. J. R. 219. WISHING THE HONORABLE JAMES E. "JIM" FOLSOM A SPEEDY RECOVERY.

Also:

S. J. R. 220. ESTABLISHING THE JACKSON COUNTY COMPUTER STUDY COMMITTEE.

Also:

S. J. R. 224. URGING THE ALABAMA DEPARTMENT OF YOUTH SERVICES TO JOIN THE GEORGIA DIVISION OF YOUTH SERVICES OF THE DEPARTMENT OF HUMAN RESOURCES TO CALL AND CONVENE A MEETING OF YOUTH SERVICES DEPARTMENTS OF THE SOUTHERN STATES TO DISCUSS POSSIBLE WAYS TO COORDINATE SERVICES FOR EMOTIONALLY DISTURBED JUVENILES; AND FOR OTHER PURPOSES.

REGULAR SESSION
25th Day

1271

Also:

S. J. R. 228. COMMENDING MARGARET A CARPENTER, ALABAMA'S SMALL BUSINESS PERSON OF THE YEAR.

Also:

S. J. R. 229. COMMENDING ISABELL T. MOORE, ALABAMA'S WOMAN IN BUSINESS ADVOCATE OF THE YEAR.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 331

The Senate proceeded to further consideration of the Bill, H. B. 331. The question was on the Menton substitute, as amended.

Senator Dixon offered the following amendment No. 1 to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend substitute, as amended, for House Bill 331 on page 40, line 5 by striking the figure "3,490,000" and inserting in lieu thereof the figure "3,700,000".

Further amend substitute, as amended, for House Bill 331 on page 39, line 31 by striking the figure "10,211,544" and inserting in lieu thereof the figure "10,421,544".

Further amend substitute, as amended, for House Bill 331 on page 41, lines 6 and 9 by striking the figure "7,788,842" and inserting in lieu thereof the figure "7,998,842".

Further amend substitute, as amended, for House Bill 331 on page 41, line 9 by striking the figure "13,124,442" and inserting in lieu thereof the figure "13,334,442".

On motion of Senator Corbett, said amendment was laid on the table.

Yeas 16; Nays 7.

Yeas:

Senators:	Covington	Ellis	Langford
Aldridge	deGraffenried	Foshee	Menton
Bishop	Denton	Goodwin	Smith (B)
Cooley	Drinkard	Holmes	Teague
Corbett			

—16

Nays:

Senators:	Bedsole	Dial	Little
Bailey	Cabaniss	Dixon	Mitchem

—7

Senator Dixon then offered the following amendment No. 2 to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend the substitute, as amended, for H. B. 331 in Section 3 (A) (5) on page 4 lines 12, 14 and 16 by deleting the figure "500,000" and inserting in lieu thereof the figure "1,175,000".

Further amend substitute, as amended, for H. B. 331 on page 34, line 17 by striking the figure "1,350,000" and inserting in lieu thereof the figure "675,000".

Further amend substitute, as amended, for H. B. 331 on page 34, lines 21 and 23 by striking the figure "1,630,360" and inserting in lieu thereof the figure "955,360".

On motion of Senator Corbett, said amendment was laid on the table.

Yeas 13; Nays 10.

Yeas:

Senators:	Corbett	Foshee	Menton	
Aldridge	Covington	Goodwin	Smith (B)	
Bishop	Denton	Holmes	Teague	
Cooley	Drinkard			—13

Nays:

Senators:	Bedsole	Dixon	Little	
Bailey	Cabaniss	Ellis	Mitchem	
Bedford	deGraffenried	Hand		—10

Senator Cabaniss offered the following amendment No. 4 to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend substitute, as amended, for House Bill 331 in Section 3 (A) (24) on page 39 after line 6 by inserting the following:

"The above appropriation to fund the reserve of \$35,000,000 shall be reduced to \$30,000,000. This reduction of \$5,000,000 shall be used to offset the cost to the ASETF by exempting from the state income tax, payments made under private pension plans. Said reduction is contingent upon passage of Senate Bill 238 Regular Session 1985 or similar legislation when this cost of said legislation will in fiscal year 1985-86 accrue".

On motion of Senator Corbett, said amendment was laid on the table.

REGULAR SESSION
25th Day

1273

Yeas 18; Nays 7.

Yeas:

Senators:	Covington	Foshee	Langford
Aldridge	Denton	Goodwin	Menton
Bishop	Dial	Hand	Smith (B)
Cooley	Drinkard	Holmes	Teague
Corbett	Ellis	Horn	

—18

Nays:

Senators:	Bedford	Cabaniss	Dixon
Bailey	Bedsole	deGraffenried	Little

—7

Senator Bedford offered the following amendment to the substitute, as amended, for the Bill, H. B. 331, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 331

Amend substitute, as amended, for House Bill 331 on page 18, line 15 after the word "School" by inserting the following:

"\$25,000 shall be allocated to the Russelville City School Board for special education; \$25,000 shall be allocated to the Franklin County School Board for special education";

Further amend substitute, as amended, for House Bill 331 on page 16, line 20 by striking the figure "2,868,000" and insert in lieu thereof the figure "2,918,000";

Further amend substitute, as amended, for House Bill 331 on page 14, lines 24, 26 and 28 by striking the figure "459,800,490" and insert in lieu thereof the figure "459,850,490".

Senator Hand offered the following substitute amendment to the Bedford amendment to the substitute, as amended, for the Bill, H. B. 331, to-wit:

**SUBSTITUTE AMENDMENT FOR BEDFORD AMENDMENT TO
SUBSTITUTE, AS AMENDED, FOR H. B. 331**

Amend Bedford amendment to substitute, as amended, for House Bill No. 331 Page 68 Line 40, by inserting Section XVII to Senate District 13—\$500,000 and to Senate District 32—\$500,000 to be allocated by the Senators representing that District.

On motion of Senator Corbett, said substitute amendment was laid on the table.

And on motion of Senator Corbett, the Bedford amendment was then laid on the table.

Yeas 17; Nays 5.

Yeas:

Senators:	Covington	Foshee	Langford
Aldridge	deGraffenried	Goodwin	Menton
Bishop	Denton	Hand	Smith (B)
Cooley	Drinkard	Holmes	Teague
Corbett	Ellis		

—17

Nays:

Senators:	Bedford	Cabaniss	Little	
Bailey	Bedsole			—5

The question recurred on the amendment No. 2 offered by Senator Bailey.

And on motion of Senator Bailey, said amendment No. 2 was laid on the table.

And said substitute, as amended, was then adopted.

Yeas 25; Nays 4.

Yeas:

Senators:	Corbett	Ellis	Langford	
Aldridge	Covington	Foshee	Menton	
Amari	deGraffenried	Goodwin	Mitchem	
Bedford	Denton	Hand	Smith (B)	
Bennett	Dial	Holmes	Strong	
Bishop	Dixon	Horn	Teague	
Cooley	Drinkard			—25

Nays:

Senators:	Bedsole	Cabaniss	Little	
Bailey				—4

And said Bill, H. B. 331, as thus amended by the substitute, as amended, was then read a third time at length and passed.

Yeas 23; Nays 4.

Yeas:

Senators:	Corbett	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Bedford	deGraffenried	Hand	Mitchem	
Bedsole	Denton	Holmes	Smith (B)	
Bishop	Drinkard	Horn	Strong	
Cooley	Ellis	Langford	Teague	—23

Nays:

Senators:	Cabaniss	Dial	Dixon	
Bailey				—4

MOTION IN WRITING

Senator Teague offered the following Motion in Writing, to-wit:

When we adjourn today 5-1-85, we adjourn to reconvene at 12:01 A.M. on Thursday, 5-2-85.

BUDGET ISOLATION RESOLUTION

Senator deGraffenried requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator deGraffenried, B. I. R., H. B. 788, Rules.

RECESS

At 7:30 A.M., on motion of Senator Teague, the Senate took a recess until 3 o'clock P.M.

The recess period having expired, at 3 o'clock P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 640. To amend Section 17-13-7 of the Code of Alabama 1975, relating to elections, so as to provide further that elections be reported by precincts to the secretary of state and each county in the state shall furnish the secretary of state with the location of all voting places.

Also:

S. 315. To provide that a convicted felon shall serve his sentence in a state penal facility unless the sentencing judge directs that such sentence is to be served in a county jail; to provide for certain conditions and requirements in the event a convicted felon or state inmate shall be assigned to a county jail to serve a portion of a sentence; and to provide for exceptions.

CHARLES BISHOP,
Chairperson.

FURTHER CONSIDERATION OF MOTION IN WRITING

The Senate proceeded to further consideration of the Teague Motion in Writing, that when we adjourn today 5-1-85, we adjourn to reconvene at 12:01 A.M. on Thursday, 5-2-85.

Senator deGraffenried offered the following substitute Motion in Writing for the Teague Motion in Writing, to-wit:

I move that when the Senate adjourns today, that the Senate will reconvene at 10:00 A.M. on Thursday, May 2, 1985, and that the Journal remain open to receive House messages.

On motion of Senator Parsons, further consideration of said Motions in Writing, was postponed subject to the call of the Chair.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 88. To amend Section 36-22-16 of the Code of Alabama 1975, so as to provide for the compensation of the sheriffs of the several counties in this state.

Also:

S. 107. To amend Sections 16-25-1 and 16-25-19, Code of Alabama, 1975, so as to expand the board of control of the Teachers' Retirement System from 11 to 13 members and to specify that such additional members shall be from the ranks of educational support personnel and defines the term "support personnel."

Also:

S. 130. To amend Section 29-7-4, Code of Alabama 1975, relating to the compensation and employment of personnel by the Legislative Reference Service, so as to further provide for the hiring of said personnel.

Also:

S. J. R. 194. COMMENDING R. WAYNE THOMPSON OF DADEVILLE, ALABAMA FOR OUTSTANDING SERVICE TO THE ALABAMA COOPERATIVE EXTENSION SERVICE.

Also:

S. J. R. 200. COMMENDING RUTH L. GALBRAITH, DEAN OF THE AUBURN UNIVERSITY SCHOOL OF HOME ECONOMICS.

Also:

S. J. R. 201. MOURNING THE DEATH OF ISADORE PIZITZ OF BIRMINGHAM, ALABAMA.

Also:

S. J. R. 205. COMMENDING THE ALABAMA CRIPPLED CHILDREN SERVICE ON THE OCCASION OF ITS FIFTIETH ANNIVERSARY.

Also:

S. J. R. 207. CONGRATULATING E. J. "BUSTER" GILBERT ON HIS RETIREMENT FROM THE DEPARTMENT OF PUBLIC SAFETY.

Also:

S. J. R. 209. Commending the Soil Conservation Service for their 50 years or Golden Anniversary on April 27, 1985.

Also:

S. J. R. 210. COMMENDING THE BLANDING FAMILY ON THE OCCASION OF ITS ANNUAL REUNION FOR THE MANY TALENTED CITIZENS IT HAS GIVEN TO THE STATE OF ALABAMA.

Also:

S. J. R. 211. COMMENDING MR. ROBERT VEITCH FOR OUTSTANDING SERVICE TO THE ALABAMA SPORTS HALL OF FAME.

Also:

S. J. R. 213. NAMING THE DIABETES HOSPITAL LOCATED AT 1808 7TH AVENUE SOUTH, BIRMINGHAM, ALABAMA, THE "BURIS R. BOSHELL DIABETES RESEARCH AND EDUCATION HOSPITAL".

Also:

S. J. R. 219. WISHING THE HONORABLE JAMES E. "JIM" FOLSOM A SPEEDY RECOVERY.

Also:

S. J. R. 220. ESTABLISHING THE JACKSON COUNTY COMPUTER STUDY COMMITTEE.

Also:

S. J. R. 224. URGING THE ALABAMA DEPARTMENT OF YOUTH SERVICES TO JOIN THE GEORGIA DIVISION OF YOUTH SERVICES OF THE DEPARTMENT OF HUMAN RESOURCES TO CALL AND CONVENE A MEETING OF YOUTH SERVICES DEPARTMENTS OF THE SOUTHERN STATES TO DISCUSS POSSIBLE WAYS TO COORDINATE SERVICES FOR EMOTIONALLY DISTURBED JUVENILES; AND FOR OTHER PURPOSES.

Also:

S. J. R. 228. COMMENDING MARGARET A. CARPENTER, ALABAMA'S SMALL BUSINESS PERSON OF THE YEAR.

Also:

S. J. R. 229. COMMENDING ISABELL T. MOORE, ALABAMA'S WOMAN IN BUSINESS ADVOCATE OF THE YEAR.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BUDGET ISOLATION RESOLUTIONS

Senator Ellis requested and received permission to suspend the Rules in order to offer the following Resolutions, to-wit:

Senator Ellis, B. I. R., S. B. 697, Rules.

Also:

Senator Ellis, B. I. R., S. B. 610, Rules.

REPORT FROM RULES

Senator Ellis, B. I. R., S. B. 21, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Mitchem
Aldridge	Denton	Holmes	Sanders
Bailey	Dial	Horn	Smith (B)
Barron	Dixon	Langford	Smith (J)
Bedford	Ellis	Little	Strong
Bedsole	Figures	Menton	Teague
Cooley	Foshee		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 21. To amend section 12-17-213, Code of Alabama 1975, which section relates to minimum service time required to qualify for supernumerary district attorney status, so as to provide further for the said minimum service time requirements.

was taken up.

Senator Ellis offered the following amendment to the Bill, S. B. 21, to-wit:

AMENDMENT TO S. B. 21

Amend Section 1, page 2, line 7 by deleting after the word "circuit" the words "or shall have served not less than 10," and deleting lines 8 and 9 on page 2 and adding the following: A person may qualify for Supernumerary District Attorney with less than 10 years as District Attorney provided that such service includes: (1) at least eight years as a district attorney; (2) six years as a circuit judge; and (3) four years as an inferior court judge.

Provided further that in order to qualify under this Act for Supernumerary District Attorney with less than ten (10) years service as District Attorney a person must file a written declaration with the Governor of the State of Alabama within six months of the effective date of this Act."

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Bedsole	Ellis	Parsons
Aldridge	Bishop	Goodwin	Smith (B)
Amari	Cabaniss	Hand	Smith (J)
Bailey	deGraffenried	Langford	Strong
Bedford	Dixon	Little	

—18

Nays:

—0

And said Bill, S. B. 21, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

**REGULAR SESSION
25th Day**

1279

Yeas 19; Nays 1.

Yeas:

Senators:	Cabaniss	Ellis	Langford	
Bailey	Cooley	Foshee	Parsons	
Bedford	deGraffenried	Hand	Smith (B)	
Bedsole	Denton	Hilliard	Smith (J)	
Bishop	Dixon	Holmes	Strong	—19
Nay Senator Little				—1

REPORT FROM RULES

Senator Parsons, B. I. R., S. B. 305, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Holmes	Parsons	
Aldridge	Dial	Horn	Sanders	
Bailey	Dixon	Langford	Smith (B)	
Barron	Ellis	Little	Smith (J)	
Bedford	Figures	Menton	Strong	
Bedsole	Foshee	Mitchem	Teague	—25
Cooley	Hand			
<i>Nays:</i>				—0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 305. To provide for the reopening of the Employees' Retirement System of Alabama to those municipal officers and employees who are members of the Employees' Retirement System of Alabama on June 1, 1984, and who have prior employment with other municipalities for which they are ineligible to gain credit.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Bishop	Dial	Parsons	
Aldridge	Cabaniss	Ellis	Smith (B)	
Amari	Cooley	Hand	Smith (J)	
Bailey	deGraffenried	Holmes	Strong	
Bedford	Denton	Little		—18
<i>Nays:</i>				—0

BUDGET ISOLATION RESOLUTIONS

Senator Parsons requested and received permission to suspend the Rules in order that the following Resolutions could be offered, to-wit:

Senator Teague, B. I. R., S. B. 696, Rules.

Also:

Senator Teague, B. I. R., S. B. 672, Rules.

Also:

Senator Teague, B. I. R., S. B. 669, Rules.

Also:

Senator Teague, B. I. R., S. B. 658, Rules.

Also:

Senator Teague, B. I. R., S. B. 655, Rules.

Also:

Senator Teague, B. I. R., S. B. 504, Rules.

Also:

Senator Teague, B. I. R., S. B. 476, Rules.

Also:

Senator Teague, B. I. R., S. B. 461, Rules.

Also:

Senator Teague, B. I. R., S. B. 125, Rules.

Also:

Senator Teague, B. I. R., S. B. 80, Rules.

Also:

Senator Teague, B. I. R., S. B. 206, Rules.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 146. To amend §41-16-21 of the Code of Alabama 1975 to exempt from the provisions of the law on competitive bidding on public contracts purchases by any hospital or other medical facility operated by any state department, board, bureau, commission, committee, institution, corporation, authority or office.

was taken up.

The Standing Committee on Governmental Affairs reported the following amendment to the Bill, H. B. 146, to-wit:

AMENDMENT TO H. B. 146

Amend House Bill No. 146, Page 1, Line 21, by inserting after the word "department," the words:

"except the Department of Mental Health," and further amend the bill on Page 2, Line 14, by inserting after the word "department," the words "except the Department of Mental Health,".

Which was adopted.

REGULAR SESSION
25th Day

1281

Yeas 20; Nays 0.

Yeas:

Senators:	Covington	Hand	Parsons
Aldridge	Denton	Hilliard	Sanders
Bennett	Ellis	Holmes	Smith (B)
Cabaniss	Foshee	Little	Smith (J)
Cooley	Goodwin	Menton	Strong
Corbett			

—20

Nays: —0

And said Bill, H. B. 146, as thus amended, was read a third time at length and passed.

Yeas 17; Nays 1.

Yeas:

Senators:	Covington	Holmes	Sanders
Barron	Denton	Langford	Smith (B)
Bennett	Ellis	Menton	Smith (J)
Cabaniss	Foshee	Parsons	Strong
Cooley	Hand		

—17

Nay Senator Little —1

BUDGET ISOLATION RESOLUTION

Senator Foshee requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Foshee, B. I. R., H. B. 112, Rules.

Senator Corbett requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Corbett, B. I. R., H. B. 646, Rules.

REPORT FROM RULES

Senator Foshee, B. I. R., S. B. 690, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Parsons
Aldridge	Dial	Holmes	Sanders
Bailey	Dixon	Horn	Smith (B)
Barron	Ellis	Langford	Smith (J)
Bedsole	Figures	Little	Strong
Bennett	Foshee	Menton	Teague
Cooley	Goodwin		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 35. To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician, as defined

in this act, in the performance of his professional services from any city, county and state sales tax.

was taken up.

The Standing Committee on Health and Welfare reported the following substitute for the Bill, S. B. 35, to-wit:

SUBSTITUTE FOR S. B. 35

A BILL TO BE ENTITLED AN ACT

To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician licensed to practice medicine, chiropractor, orthodontist, and podiatrist, as defined in this act, in the performance of his professional services from any city, county and state sales tax.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician licensed to practice medicine, chiropractor, orthodontist, and podiatrist in the performance of his professional services shall be exempt from any city, county and state sales tax.

Section 2. The exemption provided for in Section 1 shall be in addition to any and all exemptions from sales tax provided for in Article 1 of Title 40, Revenue and Taxation, Code of Alabama, 1975, as last amended.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Covington	Hilliard	Mitchem	
Barron	Denton	Holmes	Sanders	
Bedsole	Ellis	Langford	Smith (B)	
Bennett	Foshee	Little	Smith (J)	
Cooley	Hand	Menton	Strong	—19

Nays: —0

And said Bill, S. B. 35, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Covington	Hand	Sanders	
Aldridge	Denton	Hilliard	Smith (B)	
Bennett	Drinkard	Little	Smith (J)	
Bishop	Foshee	Menton	Strong	
Cooley	Goodwin	Mitchem		—18

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 593. To provide further for the compensation of state supreme court justices; and to make the provisions of this act effective October 1, 1985.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 593, to-wit:

SUBSTITUTE FOR S. B. 593

A BILL TO BE ENTITLED AN ACT

To provide further for the compensation of state appellate court judges; and to make the provisions of this act effective October 1, 1986.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Beginning on October 1, 1985, the salary of the Chief Justice of the Supreme Court of Alabama shall be an amount equal to \$3,000 above the highest total compensation, inclusive of any salary supplements and expense allowances, of any state circuit judge.

Section 2. As of said date, the salary of each Associate Justice on the Supreme Court of Alabama shall be an amount equal to \$2,000 above the highest total compensation, inclusive of any salary supplements and expense allowances, of any state circuit judge.

Section 3. Beginning on said date, the salary of the Presiding Judges of the Court of Criminal Appeals and the Court of Civil Appeals shall be an amount equal to \$1,500 above the highest total compensation, inclusive of any salary supplements and expense allowances, of any state circuit judge.

Section 4. As of said date the salary of the Associate Judges of the Court of Criminal Appeals and the Court of Civil Appeals shall be an amount equal to \$1,000 above the highest total compensation, inclusive of any salary supplements and expense allowances, of any state circuit judge.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective on October 1, 1986.

Which was adopted.

Yeas 18; Nays 2.

Yeas:

Senators:	Bishop	Figures	Mitchem	
Aldridge	deGraffenried	Hilliard	Sanders	
Barron	Denton	Holmes	Smith (J)	
Bedsole	Dixon	Langford	Strong	
Bennett	Ellis	Menton		—18

Nays:

Senators:	Bailey	Little		—2
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And said Bill, S. B. 593, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 3.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Amari	deGraffenried	Hand	Mitchem	
Barron	Denton	Hilliard	Smith (J)	
Bennett	Dixon	Holmes	Strong	
Bishop	Figures	Langford		—18

Nays:

Senators:	Bailey	Bedsole	Little	—3
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RESOLUTION

Senators Cooley, Smith (B), Barron, and Smith (J) requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 233. MADISON COUNTY COMMISSION MEMBERS URGED TO HOLD EVENING MEETINGS FOR WORKERS.

WHEREAS, many people in Madison County are employed during the hours that the county commission holds its meetings and cannot attend; and

WHEREAS, many of the constituents in Madison County wish to exercise their inherent freedoms to be heard on the important issues which affect them and the community and communicate with their elected officials; and

WHEREAS, numerous citizens have contacted the Madison County legislative delegation, and particularly citizens in the working public and in volunteer fire department associations who want to communicate their desires and expertise relative to zoning laws, fire and building codes, school funding and the fire marshal's office; and

WHEREAS, the Madison County Legislative Delegation and the Huntsville City Commission hold meetings for the public, from time to time, at

night, so that their constituents may have a voice in their government about issues important to them; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do strongly urge the Madison County Commission to give their constituents a voice in their county government and to schedule some of its meetings at an hour in the evening, from time to time, where the working public may attend to express their opinions.

RESOLVED FURTHER, That a copy of this resolution be sent to the members of the Madison County Commission.

On motion of Senator Cooley, the Rules were suspended and the Resolution was adopted by the Senate.

BUDGET ISOLATION RESOLUTIONS

Senator Bailey requested and received permission to suspend the Rules in order to offer the following Resolutions, to-wit:

Senator Bailey, B. I. R., H. B. 756, Rules.

Also:

Senator Bailey, B. I. R., H. B. 656, Rules.

Also:

Senator Bailey, B. I. R., H. B. 655, Rules.

Also:

Senator Bailey, B. I. R., H. B. 880, Rules.

Also:

Senator Bailey, B. I. R., H. B. 881, Rules.

Also:

Senator Bailey, B. I. R., H. B. 882, Rules.

Also:

Senator Bailey, B. I. R., H. B. 883, Rules.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 112. Amending Sections 16-36-7 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

was taken up.

Senator Bennett offered the following amendment to the Bill, S. B. 112, to-wit:

AMENDMENT TO S. B. 112

Amend Senate Bill No. 112 Page 3 Line 11, by striking out October 1, 1985 after the word "effective" and inserting October 1, 1986.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Bennett	Foshee	Menton	
Aldridge	Bishop	Goodwin	Mitchem	
Bailey	Cabaniss	Hand	Smith (B)	
Barron	Denton	Holmes	Smith (J)	
Bedford	Dixon	Langford	Strong	
Bedsole	Figures	Little		—22

Nays: —0

And said Bill, S. B. 112, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Bishop	Dixon	Little	
Aldridge	Cabaniss	Figures	Menton	
Barron	Cooley	Foshee	Parsons	
Bedford	Covington	Hand	Smith (B)	
Bedsole	Denton	Holmes	Strong	
Bennett				—20

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 450. To amend Sections 41-9-780, 41-9-781, 41-9-782, 41-9-783, 41-9-786, 41-9-787, Code of Alabama 1975, which creates the Tennessee Valley Authority Exhibit Commission of Alabama, so as to change the name of the Commission to the Tennessee Valley Exhibit Commission; to alter the composition of the Commission, and to provide further for the issuance of obligations.

was taken up.

The Standing Committee on Commerce, Transportation, and Utilities reported the following amendment No. 1 to the Bill, S. B. 450, to-wit:

AMENDMENT TO S. B. 450

Amend S. B. 450 on page 6 by deleting lines 20 through 23 in their entirety and inserting in lieu thereof the following:

“(12) To make such rules and regulations as the commission may deem necessary and desirable to provide for the operation, management and control of the facility ~~in cooperation with the Tennessee valley authority~~; and

Which was adopted.

REGULAR SESSION
25th Day

1287

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Holmes	Parsons	
Aldridge	Covington	Langford	Sanders	
Bailey	Denton	Little	Smith (B)	
Barron	Dixon	Menton	Smith (J)	
Bedford	Foshee	Mitchem	Strong	—19

Nays: —0

The Standing Committee on Commerce, Transportation, and Utilities then reported the following amendment No. 2 to the Bill, S. B. 450, as amended, to-wit:

AMENDMENT TO S. B. 450, AS AMENDED

On page 2, delete lines 25-28 in their entirety and insert in lieu thereof:

Authority. All such facilities shall be principally constructed out of colitic shadow vein Alabama limestone. The

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Bedford	Dixon	Mitchem	
Aldridge	Cabaniss	Holmes	Smith (B)	
Amari	Covington	Horn	Smith (J)	
Bailey	Denton	Little	Strong	
Barron	Dial	Menton		—18

Nays: —0

And said Bill, S. B. 450, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Bedsole	Hand	Mitchem	
Aldridge	Corbett	Hilliard	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Horn	Smith (J)	
Barron	Dixon	Little	Strong	
Bedford	Goodwin	Menton		—22

Nays: —0

REPORT FROM RULES

Senator Smith (J), B. I. R., H. B. 220, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Figures	Little	Strong	
Bedsole	Foshee	Menton	Teague	
Cooley	Hand			—25

Nays: —0**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 220. To amend Section 12-21-109, Code of Alabama 1975, relating to the effect of written receipts, releases and discharges so as to clarify the inclusion of judgments entered pursuant to pro tanto settlements.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Hilliard	Mitchem	
Aldridge	deGraffenried	Holmes	Parsons	
Amari	Denton	Horn	Smith (B)	
Bailey	Dial	Langford	Smith (J)	
Barron	Ellis	Little	Strong	
Bennett	Foshee	Menton	Teague	
Cabaniss	Hand			—25

Nays: —0**REPORT FROM RULES**

Senator Hand, B. I. R., S. B. 705, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Mitchem	
Aldridge	Denton	Hilliard	Parsons	
Bailey	Dial	Holmes	Smith (B)	
Barron	Dixon	Horn	Smith (J)	
Bedford	Ellis	Little	Strong	
Bedsole	Figures	Menton	Teague	
Cooley	Foshee			—25

Nays: —0

Senator Hand, B. I. R., S. B. 706, Rules reported favorably, adopted.

REGULAR SESSION
25th Day

1289

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Mitchem
Aldridge	Denton	Hilliard	Parsons
Bailey	Dial	Holmes	Smith (B)
Barron	Dixon	Horn	Smith (J)
Bedford	Ellis	Little	Strong
Bedsole	Figures	Menton	Teague
Cooley	Foshee		

— 25

Nays: — 0

Senator Holmes, B. I. R., S. B. 707, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Mitchem
Aldridge	Denton	Hand	Parsons
Bailey	Dial	Holmes	Smith (B)
Barron	Dixon	Horn	Smith (J)
Bedford	Ellis	Little	Strong
Bedsole	Figures	Menton	Teague
Bennett	Foshee		

— 25

Nays: — 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 705. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores in Baldwin County.

was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Parsons
Aldridge	Dial	Holmes	Sanders
Bailey	Dixon	Horn	Smith (B)
Barron	Ellis	Langford	Smith (J)
Bedford	Figures	Little	Strong
Bedsole	Foshee	Menton	Teague
Cooley	Goodwin		

— 25

Nays: — 0

THE BILL:

S. 706. To alter, rearrange and extend the boundary lines and corporate limits of the town of Orange Beach in Baldwin County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Parsons
Aldridge	Dial	Holmes	Sanders
Bailey	Dixon	Horn	Smith (B)
Barron	Drinkard	Little	Smith (J)
Bedford	Ellis	Menton	Strong
Bedsole	Figures	Mitchem	Teague
Cooley	Foshee		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTIONS

Senator Bedford requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Bedford, B. I. R., S. B. 695, Rules.

Senator Teague requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Teague, B. I. R., No. 2, S. B. 672.

And on motion of Senator Teague, the Rules were suspended and B. I. R., S. B. 672, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Mitchem
Aldridge	Dixon	Holmes	Sanders
Barron	Drinkard	Horn	Smith (B)
Bedford	Ellis	Langford	Smith (J)
Bedsole	Figures	Little	Strong
Cooley	Foshee	Menton	Teague
Denton	Hand		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 672. To amend the Alabama Uniform Certificate of Title and Antitheft Act by repealing Section 32-8-48, Code of Alabama, 1975, and by amending Section 32-8-87, Code of Alabama 1975, to include certain requirements set forth in Section 32-8-48 repealed herein, to remove the requirement of surrendering the vehicle identification number plate in certain instances, to provide for the issuance of a salvage certificate of title and the assignment of same, to exempt insurance companies from titling motor vehicles in the name of the company in certain instances, to redefine total loss motor vehicles for clarity, to require certain other documents or items to be surrendered to the Department of Revenue in certain instances, to provide for an inspection of salvage vehicles before retitling, to make the operation of a chop shop illegal and to provide for seizure and forfeiture of property used therein, and to provide penalties for engaging in this activity.

was taken up.

Senator Teague offered the following substitute for the Bill, S. B. 672, to-wit:

SUBSTITUTE FOR S. B. 672

**A BILL
TO BE ENTITLED
AN ACT**

To amend the Alabama Uniform Certificate of Title and Antitheft Act by repealing Section 32-8-48, Code of Alabama, 1975, and by amending Section 32-8-87, Code of Alabama, 1975, to include certain requirements set forth in Section 32-8-48 repealed herein, to remove the requirement of surrendering the vehicle identification number plate in certain instances, to provide for the issuance of a salvage certificate of title and the assignment of same, to exempt insurance companies from titling motor vehicles in the name of the company in certain instances, to redefine total loss motor vehicles for clarity, to require certain other documents or items to be surrendered to the Department of Revenue in certain instances, to provide for an inspection of salvage vehicles before retitling, and to provide penalties for violations of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-8-48, Code of Alabama, 1975, is hereby repealed.

Section 2. Section 32-8-87 of the Code of Alabama, 1975, is amended to read as follows:

~~Section 32-8-87. "(a) Each owner of a motor vehicle and each person mentioned as owner in the last certificate of title, when such motor vehicle is dismantled, destroyed or changed in such a manner that it is not the motor vehicle described in the certificate of title, shall surrender his certificate of title to the department of revenue, and thereupon said department shall, with the consent of any liens noted herein, enter a cancellation upon its records. Upon cancellation of a certificate of title in the manner prescribed by this section, the department shall cancel all certificates and all memorandum certificates in that chain of title."~~

~~(b) When the frame or engine is removed from a motor vehicle and not immediately replaced by another frame or engine, or when an insurance company has paid money as compensation for a total loss of any motor vehicle, such motor vehicle shall be considered to be salvage. The owner of every motor vehicle in which total loss or salvage has occurred shall, within 72 hours after such total loss or salvage occurs, forward to the department the title to the motor vehicle along with its manufacturer's identification number plate(s) and license plates, whereupon the department shall process the title and plate(s) in a manner prescribed by law or regulation. An insurance company which pays money as compensation for total loss of a motor vehicle shall obtain such vehicle's certificate of title, manufacturer's identification number plates and license plate(s) and within 72 hours after receiving them, shall forward them to the department for processing. In the event the payment or monetary settlement was made because of the theft of the vehicle, which shall be considered a total loss as defined in this section, the insurance company shall, in addition to forwarding the certificate of title as provided herein, forward to vehicle's identification number plates and license plates to the department as soon as practicable after the vehicle is recovered. However, nothing in this subsection shall be applicable when a stolen motor~~

vehicle is recovered in substantially intact condition and it readily resalable without extensive repairs to or replacement of the frames or engine."

"(c) It shall be unlawful for the owner of any junkyard, scrap metal processing plant or salvage yard or his agents or employees to have in their possession any motor vehicle which is junk or salvage or a total loss when the manufacturer's identification number plates, serial plates and motor vehicle license plates have not been removed therefrom in accordance with the provisions of section 32-8-48. Any person who violates this subsection shall, upon conviction, be guilty of a felony and shall be punished by imprisonment in the state penitentiary for not more than five years or by fine of not more than \$5,000.00 or by both such fine and imprisonment."

"(d) It shall be unlawful for any person, firm or corporation to possess, sell or exchange, offer to sell or exchange, or to give away any certificate of title or manufacturer's identification number plates, serial plates or motor vehicle license plates of any motor vehicle which has been sold as junk or salvage or as a total loss contrary to the provisions of this section, and every officer, agent or employee of any person, firm or corporation, and every person who shall authorize, direct, aid in or consent to the possession, sale or exchange or offer to sell, exchange or give away such certificate of title, manufacturer's vehicle identification number plates, serial plates, or motor vehicle license plates shall, upon conviction, be guilty of a felony and shall be punished by imprisonment in the state penitentiary for not more than five years or by a fine of not more than \$5,000.00, or by both such fine and imprisonment."

"(e) For the purpose of this section, a total loss shall occur when the insurer pays to any person 75 percent or more of the cost, at the time of the loss or replacing the wrecked or damaged vehicle with one of like kind and quality."

"(a) Each owner of a motor vehicle and each person mentioned as owner in the last certificate of title or a person who acquires a motor vehicle from an owner who scraps, dismantles, destroys or changes the motor vehicle in such a manner that it is not the same motor vehicle described in the certificate of origin or certificate of title, shall within 72 hours thereafter cause the certificate of origin or certificate of title, license plate(s), if any, and any other documents or information required by the department to be mailed or delivered to the department for processing. The department shall, with the consent of any holder of liens noted on the surrendered certificate, enter a cancellation upon its records. Upon cancellation of a certificate of origin or certificate of title in the manner prescribed by this section, the department shall cancel all certificates of origin or certificates of title and all memorandum certificates in that chain of title. A certificate of title for the vehicle shall not again be issued except upon application containing the information the department requires, accompanied by a certificate of inspection in the form and content as specified in this section."

No motor vehicle for which a salvage or junk certificate has been issued by this state or any other state shall be driven or operated on the highways or other public places of this state. However, a vehicle which is in this state and for which a salvage certificate has been issued, and the vehicle is being restored to its operating condition which existed prior to the event which caused the salvage certificate of title to issue, may be moved to and from repair points as necessary by the rebuilder to complete the restoration. A valid Alabama dealer transport (DT) license plate must be displayed on the vehicle during its movement. Any person who violates this subsection shall,

upon conviction, be guilty of a Class C misdemeanor and shall be punishable as required by law."

"(b) When the frame or engine is removed from a motor vehicle and not immediately replaced by another frame or engine, or when an insurance company has paid money or made other monetary settlement as compensation for a total loss of any motor vehicle, such motor vehicle shall be considered to be salvage. The owner of every motor vehicle in which total loss or salvage has occurred shall, within 72 hours after such total loss or salvage occurs, make application for a salvage certificate of title and forward to the department along with the certificate of origin or certificate of title to the motor vehicle along with its license plate(s), whereupon the department shall process the certificate of origin or certificate of title and plate(s) in a manner prescribed by law or regulation. An insurance company which pays money or makes other monetary settlement as compensation for total loss of a motor vehicle shall at the time of payment or monetary settlement obtain such vehicle's certificate of origin or certificate of title and license plate(s) and, within 72 hours after receiving them, shall forward them along with their application for a salvage certificate, to the department for processing. In the event the payment or monetary settlement was made because of the theft of the vehicle, which shall be considered a total loss as defined in this section, the insurance company shall, in addition to forwarding the properly assigned certificate of origin or certificate of title as provided herein, forward the vehicle's license plate(s), if applicable, to the department as soon as practicable after the vehicle is recovered. However, the license plate(s) need not be surrendered when a stolen motor vehicle is recovered in substantially intact condition and is readily resalable without extensive repairs unless, for just reason, the department considers the vehicle to be a total loss or salvage as defined in this section. When a stolen motor vehicle has been reported to the department in compliance with this section and is later recovered, and for which a salvage certificate has been issued, the owner recorded on the salvage certificate shall assign that certificate to the purchaser. Any person who violates this subsection shall, upon conviction, be guilty of a Class C misdemeanor and shall be punishable as required by law."

"(c) If an insurance company acquires a motor vehicle in settlement of an insurance claim and holds the vehicle for resale and procures the certificate of origin or certificate of title from the owner or lienholder within fifteen (15) days after delivery of the vehicle to the insurance company, and if the vehicle was not a total loss as defined by this section, the insurance company need not send the certificate of origin or certificate of title to the department but, upon transferring the vehicle to another person, other than by the creation of a security interest, the insurance company shall complete an affidavit of acquisition and disposition of the motor vehicle on a form prescribed by the department and deliver the certificate of origin or certificate of title, affidavit and any other documents required by the department to the transferee at the time of delivery of the motor vehicle."

"(d) For the purposes of this section, a total loss shall occur when an insurance company or any other person pays or makes other monetary settlement to any person which equals 75 percent or more of the retail market value, at the time of loss, of a motor vehicle as compensation for restoring the wrecked or damaged vehicle to the same quality and condition as existed before it was wrecked or damaged or for replacing the wrecked or damaged vehicle with one of like kind and quality. The compensation for total loss as defined in this subsection shall not include payments by an insurer or other person for medical care, bodily injury, vehicle rental or for

anything other than the amount paid for the actual damage to the motor vehicle."

"(e) It shall be unlawful for the owner of any junkyard, scrap metal processing plant, salvage yard, or motor vehicle dismantler and parts recycler or his agents or employees to have in their possession any motor vehicle which is junk or salvage or a total loss when the manufacturer's vehicle identification number plate(s), authorized replacement vehicle identification number plate(s), or serial plate(s) have been removed, unless previously required to be removed by a statute or law of this state or another jurisdiction, and when the motor vehicle license plate(s) have not been removed therefrom in accordance with the provisions of this section. Any person who violates this subsection shall, upon conviction, be guilty of a Class C felony and shall be punishable as required by law."

"(f) It shall be unlawful for any person, firm or corporation to possess, sell or exchange, offer to sell or exchange, or to give away any certificate of origin, certificate of title, salvage certificate of title, manufacturer's identification number plate(s), authorized replacement vehicle identification number plate(s), serial plate(s), or motor vehicle license plate(s) of any motor vehicle which has been scrapped, dismantled or sold as junk or salvage or as a total loss contrary to the provisions of this section, and every officer, agent or employee of any person, firm or corporation, and every person who shall authorize, direct, aid in or consent to the possession, sale or exchange or offer to sell, exchange or give away such certificate of origin, certificate of title, salvage certificate of title, manufacturer's vehicle identification number plate(s), authorized replacement vehicle identification number plate(s), serial plate(s), or motor vehicle license plate(s) contrary to the provisions of this section, shall, upon conviction, be guilty of a Class C felony and shall be punishable as required by law."

"(g) The department is authorized to issue a salvage certificate of title for a fee of \$4.00, on a form prescribed by the department which shall provide for assignments of this title. Such salvage certificate of title is to replace a certificate of origin or certificate of title required to be surrendered by this section. The department shall prescribe necessary forms and procedures to comply with the provisions of this subsection."

"(h) It shall be unlawful for any person to sign as assignor or for any person to have in his possession a salvage certificate of title which has been signed by the owner as assignor without the name of the assignee and other information called for on the form prescribed by the department. Any person who violates this subsection, upon conviction, shall be guilty of a Class C misdemeanor and shall be punishable as required by law."

"(i) Every owner of a salvage of junk motor vehicle who sells or transfers said vehicle shall provide at the time of the delivery of the vehicle a properly executed assignment and warranty of title to the transferee in the space provided therefor on the salvage certificate of title or junk certificate of title or as the department prescribes. Any person who willfully violates this subsection shall, upon conviction, be guilty of a Class C misdemeanor and shall be punishable as required by law."

"(j) The department may issue a certificate of title to any motor vehicle for which a salvage certificate has been issued by this or any other state, and such vehicle has, in this state, been completely restored to its operating condition which existed prior to the event which caused the salvage certificate of title to issue, provided that all requirements of Section 32-8-87, Code of

Alabama, 1975, as amended, have been met. However, no certificate of title shall be issued for any motor vehicle for which a "junk" certificate has been issued or for a vehicle which is sold "for parts only".

"(k) Every owner of a salvage motor vehicle designated a 1975 year model and all models subsequent thereto which is in this state and which has been restored in this state to its operating condition which existed prior to the event which caused the salvage certificate of title to issue shall make application to the department for an inspection of the vehicle in the form and content as determined by the department. Each application for inspection of a salvage vehicle which has been so restored shall be accompanied by the following:

1. The outstanding salvage certificate or out of state title previously issued for the salvage vehicle.

2. Notarized bills of sale evidencing acquisition of all major component parts (listing the manufacturer's vehicle identification number of the vehicle from which the parts were removed, if parts contained or should contain the manufacturer's vehicle identification number) used to restore the vehicle, and photographs of the vehicle, as required by the department.

3. The owner shall also provide a written affirmation which states the following:

(a) He personally rebuilt the vehicle or personally supervised its rebuilders, and what has been done to restore the vehicle to its operating condition which existed prior to the event which caused the salvage certificate to issue.

(b) He personally inspected the completed vehicle and it complies with all safety requirements set forth by the State of Alabama and any regulations promulgated thereunder.

(c) The identification numbers of the restored vehicle and its parts have not, to the knowledge of the owner, been removed, destroyed, falsified, altered or defaced.

(d) The salvage certificate document or out of state title certificate attached to the application has not to the knowledge of the owner been forged, falsified, altered or counterfeited.

(e) All information contained on the application and its attachments is true and correct to the knowledge of the owner."

"(1) Every owner of a salvage motor vehicle designated a 1975 year model, and all models subsequent thereto which is in this state and which has been restored in this state to its operating condition which existed prior to the event which caused the salvage certificate to issue shall provide the inspecting officer with four (4) legible color photographs of the vehicle that were made by the owner prior to any restoration or repair to said vehicle. The four (4) legible color photographs shall include a full view of the front, rear, left side and right side of said vehicle, and each photograph shall be made not more than twenty (20) feet from said vehicle.

Any owner providing photographs that misrepresent the identity of the vehicle being restored or repaired shall, upon conviction, be guilty of a Class C felony and shall be punishable as required by law.

Any owner who willfully fails to provide the required photographs shall, upon conviction, be guilty of a Class A misdemeanor."

“(m) The fee for each inspection of a restored vehicle shall be \$75.00, payable by certified funds to the department, which must accompany the application. All such inspection fees received by the department shall be applied toward the personnel and maintenance costs of the vehicle inspection program and such vehicle inspection program shall be conducted by the Alabama Department of Revenue, Auto Theft Unit. Upon receipt of the application for inspection, fee of \$75.00, its supporting documents and title fee of \$4.00 (payable by certified funds to the department by separate check), the department shall require an inspection to be made of the vehicle by a qualified auto theft law enforcement officer of the Alabama Department of Revenue.

The inspection and certification shall include an examination of the vehicle and its parts to determine that the identification numbers of the vehicle or its parts have not been removed, falsified, altered, defaced, destroyed, or tampered with, that the vehicle information contained in the application for certificate of title and supporting documents is true and correct and that there are no indications that the vehicle or any of its parts are stolen. Such certification shall not attest to the roadworthiness or safety condition of the vehicle.”

“(n) Component parts are defined as:

1. Passenger vehicles.

(a) Major components:

1. Motor or engine.
2. Transmission or trans-axle.
3. Trunk floor pan.
4. Frame or any portion thereof (except frame horn), or, in the case of a unitized body, the supporting structure which serves as the frame.
5. Cowl, firewall, or any portion thereof.
6. Roof Assembly.
7. Any other part of a passenger vehicle which the department determines is comparable in design or function to any of the parts listed in (1) through (6) above.

(b) Minor Components:

1. Each door allowing entrance to or egress from the passenger compartment.
2. Hood.
3. Each front fender.
4. Deck lid, tailgate or hatchback (whichever is present).
5. Each quarter panel.
6. Each bumper.
7. T-tops, moon roof, or whichever is present.
8. Any other part of a passenger vehicle which the department determines is comparable in design or function to any of the parts listed in (1) through (7) above.

2. Truck, truck type or bus type vehicles.

(a) Major components:

1. Motor or engine.
2. Transmission or trans-axle.
3. Frame or any portion thereof (except frame horn), or, in the case of a unitized body, the supporting structure which serves as the frame.
4. Cab.
5. Cowl or firewall or any portion thereof.
6. Pickup box.
7. Body or bed.
8. Roof and cab panel.
9. Cargo compartment floor panel or passenger compartment floor pan.
10. Any other part of a truck, truck-type or bus-type motor vehicle which the department determines is comparable in design or function to any of the parts listed in (1) through (9) above.

(b) Minor Components:

1. Each door.
2. Hood.
3. Grill.
4. Each bumper.
5. Each front fender.
6. Roof panel and rear cab panel.
7. Each rear fender or side panel.
8. Any other part of a truck, truck-type or bus-type motor vehicle which the department determines is comparable in design or function to any of the parts listed in (1) through (7) above.

3. Motorcycle—Component parts.

- (a) Engine or motor.
- (b) Transmission or trans-axle.
- (c) Frame.
- (d) Front fork.
- (e) Crankcase.”
- “(o) A salvage vehicle which has been restored in this state to its operating condition which existed prior to the event which caused the salvage certificate of title to issue shall be

issued a certificate of title which shall contain the word "Rebuilt." However, a passenger vehicle, truck-type or bus-type vehicle restored with a combination of no more than three (3) major component parts, as defined above, and no more than six (6) minor component parts, as defined above, or a combination of no more than nine (9) minor component parts, as defined above, shall be issued a certificate of title without "Rebuilt" appearing thereon. A motorcycle restored with less than two (2) component parts, as defined above, shall be issued a certificate of title without "Rebuilt" appearing thereon.

Section 3. Severability.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. Repealer.

All laws or parts of laws in conflict or inconsistent with this Act are hereby repealed.

Section 5. Effective Date.

This Act shall become effective on the first day of the second month following its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Parsons	
Aldridge	Covington	Holmes	Smith (B)	
Barron	deGraffenried	Langford	Smith (J)	
Bedsole	Dixon	Little	Strong	
Cabaniss	Ellis	Menton	Teague	—19

Nays: —0

And said Bill, S. B. 672, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Aldridge	deGraffenried	Goodwin	Parsons	
Barron	Denton	Holmes	Smith (J)	
Bedsole	Dixon	Langford	Strong	
Bishop	Ellis	Little	Teague	—20
Cabaniss				

Nays: —0

REGULAR SESSION
25th Day

1299

BILLS ON THIRD READING RESUMED

THE BILL:

S. 340. To provide that full-time employees and executive officers of the Alabama Retired Teachers' Association may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Association and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Bishop	Dixon	Menton	
Aldridge	Cabaniss	Ellis	Sanders	
Barron	Corbett	Foshee	Smith (B)	
Bedford	Covington	Langford	Strong	
Bedsole	deGraffenried	Little		—18

Nays: —0

REPORT FROM RULES

Senator deGraffenried, B. I. R., S. B. 318, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Parsons	
Aldridge	Dixon	Holmes	Sanders	
Bailey	Ellis	Horn	Smith (B)	
Barron	Figures	Little	Smith (J)	
Bedsole	Foshee	Menton	Strong	
Cooley	Goodwin	Mitchem	Teague	
Denton	Hand			—25

Nays: —0

Senator Strong, B. I. R., S. B. 559, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Figures	Little	Strong	
Bedsole	Foshee	Menton	Teague	
Cooley	Goodwin			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 559. To abolish any zoning law, ordinance or regulation which prohibits mentally ill persons from living in a natural residential environment and further defining the term "multi family" which means duplex, triplex, four unit or larger as it appears in zoning laws or ordinances to include certain groupings of mentally ill persons.

was taken up.

The Standing Committee on Health and Welfare reported the following substitute for the Bill, S. B. 559, to-wit:

SUBSTITUTE FOR S. B. 559**A BILL
TO BE ENTITLED
AN ACT**

To abolish any zoning law, ordinance or regulation which prohibits mentally ill persons from living in a natural residential environment zoned "multi family" which means duplex, triplex, four unit or larger as it appears in zoning laws or ordinances to include certain groupings of mentally ill persons.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. It is the express intent of the Legislature to abolish and prohibit any zoning law, ordinance, or regulation which prevents or prohibits mentally ill persons from living in a natural residential environment zoned multi-family. Zoning ordinances shall not exclude a group home from such residential area solely because the persons residing in the group home are not blood related, unless the group home will be located within one thousand (1,000) feet of another group home as measured between lot lines. The group home may be required to meet all other zoning and licensing requirements of local and state governmental agencies.

SECTION 2. For the purpose of any zoning law, ordinance or regulation in force in the State of Alabama and its political subdivisions, the classification of "multi family" shall include any residence in which ten or less unrelated persons who are mentally ill may reside, and said residence may, in addition thereto, include two additional persons who may need not be related by blood or marriage to each other or to any of the mentally ill persons living in the residence.

SECTION 3. All laws or parts of laws in conflict with this Act are hereby repealed.

SECTION 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SECTION 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

REGULAR SESSION
25th Day

1301

Yeas 19; Nays 0.

Yeas:

Senators:	Bennett	Denton	Langford	
Aldridge	Bishop	Dial	Sanders	
Barron	Cooley	Ellis	Smith (B)	
Bedford	Corbett	Figures	Smith (J)	
Bedsole	Covington	Hilliard	Strong	—19

Nays: —0

And said Bill, S. B. 559, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Parsons	
Bailey	Cabaniss	Figures	Sanders	
Barron	Cooley	Hilliard	Smith (B)	
Bedford	Corbett	Langford	Smith (J)	
Bedsole	Denton	Menton	Strong	
Bennett	Dial			—21

Nays: —0

REPORT FROM RULES

Senator Langford, B. I. R., S. B. 654, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hand	Mitchem	
Aldridge	Dixon	Holmes	Parsons	
Bailey	Drinkard	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedsole	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Denton	Goodwin			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 524. To amend Section 13A-6-60, Code of Alabama 1975, so as to remove the exemption from criminal responsibility of the spouse for rape and redefine the term "female" which excludes married victims.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchem
Aldridge	Cabaniss	Goodwin	Parsons
Amari	deGraffenried	Hand	Sanders
Barron	Denton	Horn	Smith (B)
Bedsole	Figures	Little	Strong
Bennett			

—20

Nays:

—0

THE BILL:

H. 95. To amend Sections 34-9-1, 34-9-9, 34-9-11, 34-9-17, 34-9-18, 34-9-22, 34-9-25, 34-9-26, 34-9-27, 34-9-29, 34-9-41, and 34-9-43 of the Code of Alabama 1975, relating to dentists and dental hygienists, so as to regulate further the practice of dentistry and dental hygiene; to regulate further the Board of Dental Examiners; to regulate the administration of anesthesia by dentists; and to provide sanctions.

was taken up.

Senator Barron offered the following substitute for the Bill, H. B. 95, to-wit:

SUBSTITUTE FOR H. B. 95

A BILL TO BE ENTITLED AN ACT

To amend Sections 34-9-1, 34-9-9, 34-9-11, 34-9-17, 34-9-18, 34-9-19, 34-9-22, 34-9-25, 34-9-26, 34-9-27, 34-9-29, 34-9-41, and 34-9-43 of the Code of Alabama 1975, relating to dentists and dental hygienists, so as to regulate further the practice of dentistry and dental hygiene; to regulate further the Board of Dental Examiners; to regulate the administration of anesthesia by dentists; and to provide sanctions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-9-1, 34-9-9, 34-9-11, 34-9-17, 34-9-18, 34-9-19, 34-9-22, 34-9-25, 34-9-26, 34-9-27, 34-9-29, 34-9-41 and 34-9-43 of the Code of Alabama 1975, are hereby amended to read as follows:

“§34-9-1.

“For the purposes of this chapter, the following terms shall have the respective meanings ascribed by this section:

“(1) LICENSE. The grant of authority by the board to a person to engage in the practice of dentistry or dental hygiene.

“(2) LICENSE CERTIFICATE. The documentary evidence under seal of the board that said board has granted authority to the licensee to practice dentistry or dental hygiene in this state.

“(3) ANNUAL REGISTRATION. The documentary evidence that the board has renewed the authority of the licensee to practice dentistry or dental hygiene in this state.

“(4) BOARD. The board of dental examiners of Alabama.

“(5) COMMERCIAL DENTAL LABORATORY. A technician or group of technicians available to any or all licensed dentists for construction or repair of dental appliances.

“(6) PRIVATE TECHNICIANS. A technician employed by a dentist or group of dentists for a specified salary.

“(7) LOCAL ANESTHESIA. The elimination of sensations, especially pain in one part of the body by topical application or regional injection of a drug.

“(8) GENERAL ANESTHESIA. A controlled state of unconsciousness, accompanied by a partial or complete loss of protective reflexes, including inability to independently maintain an airway and respond purposefully to physical stimulation or verbal command, produced by a pharmacologic method.

“(9) SEDATION. A depressed level of consciousness that retains the patient's ability to independently and continuously maintain an airway and respond appropriately to physical stimulation or verbal command, produced by a pharmacologic method.

“§34-9.

~~“The term ‘proprietor’, as used in this chapter, shall not in any way pertain to state, county, municipal or city institutions and shall be deemed to include any person, firm, partnership, or corporation not licensed to practice dentistry who employs one or more dentists, dental hygienists, or both, in the operation of a dental office; or places in possession of a dentist, dental hygienist or other agent such dental material or equipment as may be necessary for the management of a dental office on the basis of a lease or any other agreement for compensation for the use of such material, equipment or offices; or retains the ownership or control of dental equipment, material or office and makes the same available in any manner for the use by a dentist, dental hygienist or other agent; provided, that nothing in this chapter shall apply to bona fide sales of dental equipment or material secured by a chattel mortgage or retention title agreement and; provided further, that this section shall not prohibit or restrict persons, firms or corporations from employing or retaining licensed dentists to furnish dental treatment for their employees or dependents of their employees. A licensed dentist or dental hygienist who enters into any of the above described arrangements with an unlicensed proprietor as defined above may have his license and license certificate suspended or revoked by the board.~~

“(a) No person other than a dentist licensed pursuant to this chapter may:

“(1) Employ a dentist, dental hygienist or both in the operation of a dental office;

“(2) Place in the possession of a dentist, dental hygienist or other agent such dental material or equipment as may be necessary for the management of a dental office on the basis of a lease or any other agreement for compensation for the use of such material, equipment or offices; or

“(3) Retain the ownership or control of dental equipment, material, or office and make the same available in any manner for the use of a dentist, dental hygienist or other agent.

“(4) The term ‘person’ as used in this section, shall not in any way pertain to state, county, municipal or city institutions but shall be deemed to include any individual, firm, partnership, corporation or other entity not licensed to practice dentistry in the State of Alabama.

“(5) Nothing in this subsection shall apply to bona fide sales of dental equipment, material or office secured by a chattel mortgage or retention title agreement, or to an agreement for the rental of the equipment or office by bona fide lease at a reasonable amount, and under which agreement the licensee under this chapter maintains complete care, custody, and control of said equipment and his practice. Further, nothing in this subsection shall prohibit or restrict persons, firms or corporations from employing or retaining licensed dentists to furnish dental treatment for their employees or dependents of their employees.

“(b) The purpose of this section is to prevent a non-dentist from influencing or otherwise interfering with the exercise of a dentist’s independent professional judgment. In addition to the acts specified in subsection (a) no person, other than a dentist licensed in accordance with this chapter, shall enter into a relationship with a person licensed under this chapter pursuant to which said unlicensed person exercises control over the following:

“(1) The selection of a course of treatment for a patient, the procedures or materials to be used as a part of such course of treatment, and the manner in which such course of treatment is carried out by the licensee;

“(2) The patient records of a dentist;

“(3) Policies and decisions relating to pricing, credit, refunds, warranties and advertising; and

“(4) Decisions relating to office personnel and hours of practice.

“(c) Any licensed dentist or dental hygienist who enters into any of the arrangements or relationships described in subsection (a) or subsection (b) above with an unlicensed person as defined above, may be subject to any of the penalties set forth in section 34-9-18.

“§34-9-11.

“When application and accompanying proof as are required herein are found satisfactory, the board shall notify the applicant to appear before it for examination at a time and place to be fixed by the board, and each applicant shall be examined and graded by number in lieu of name. All examinations provided for in this chapter shall be conducted by the board and shall be of such type and character as to test the qualifications of the applicant to practice dentistry. In conducting examinations, each member of the board shall submit his questions to the other board members, and the entire board shall decide whether or not each proposed question is fair and practical. It is provided, however, that the board may recognize any written parts of an examination given by the national board of dental examiners in lieu of such examinations or subject to such examinations as the board may require. All examination papers, including questions and answers, with a separate list of those taking each examination and the numbers under which the examination was taken shall be filed by the secretary treasurer of the board with the Alabama state department of archives and history within 30 days after the examination has been completed, to be kept for a period of not less than three years. Those found qualified by the board shall be granted a license and a license certificate which shall bear a serial

number, the full name of the licensee, the date of issuance and the seal of the board, and shall be signed by each member of the board.

"§34-9-17.

"It shall be unlawful for any person or persons to practice or offer to practice dentistry under any name except his own name, which shall be the name used in his license certificate granted to him as a dentist as provided in this chapter; and it shall be unlawful to use the name of any company, association, corporation, clinic trade name or business name in connection with the practice of dentistry, as defined in this chapter; provided, that nothing herein contained shall be so construed as to prevent two or more licensed dentists from associating together for the practice of dentistry, each in his own proper name. The violation of any of the provisions of this section by any dentist shall subject such dentist to suspension or revocation of his license. It shall be unlawful, and a licensee may have his license suspended or revoked, for any licensee to conduct a dental office in his name, or advertise his name in connection with any dental office or offices, unless such person is personally present in said office operating as a dentist or personally overseeing such operations as are performed in said office or each of said offices; provided, that when an associate in practice is on temporary active duty with the armed forces his name may be continued as a partner. It shall be unlawful for a licensee to permit his or her name to appear on or within the office which he has sold to another licensee and from which he has severed his active practice, provided the name of a dentist who sells his office to a licensed dentist may remain on the offices for a period not to exceed six months. In like manner it shall be unlawful for the buyer to permit the former owner's name to appear on or within said office, except as herein provided.

"(a) Any person or persons may practice or offer to practice dentistry in connection with any dental office or offices by or under the use of a name other than their own provided their name or names as they appear on their license certificate granted to him or them as a dentist pursuant to this chapter appear in a reasonably dignified manner either following or beneath any name selected and further provided that such person or persons are personally present in their office or offices operating as a dentist or personally overseeing such operations as they are performed in their office or each of their offices. When an associate in practice is on temporary active duty with the armed forces, his name may continue to appear in connection with the practice of dentistry at any office or offices. Nothing herein shall allow or permit any person or persons to select a name that suggests or implies a nonprofit or charitable activity. The violation of any of the provisions of this subsection by any dentist may subject such dentist to any of the penalties outlined in section 34-9-18.

"(b) It shall be unlawful for a licensee to permit his or her name to appear in any manner on, within or in connection with any office which he has sold to another licensee and from which he has severed his active practice, provided the name of the dentist who sells his office to a licensed dentist may remain in the office for a period not to exceed six months and it shall also be unlawful for the buyer to permit the former owner's name to appear in any manner on, within or in connection with said office, except as herein provided. The violation of any of the provisions of this subsection by any dentist may subject such dentist to the penalties outlined in section 34-9-18.

“(c) Nothing in this section shall be so construed as to prevent two or more licensed dentists from associating together for the practice of dentistry.

“§34-9-18.

~~“The board may refuse to issue the license or license certificate provided for in this chapter or may suspend or revoke the license of any dentist or dental hygienist, now in force or that shall be hereafter issued, whenever it shall be established to the satisfaction of the board, after a hearing as hereinafter provided, that any licensed dentist or dental hygienist has been guilty of the following:~~

“(a) The board may invoke disciplinary action as outlined in subsection (b) hereof whenever it shall be established to the satisfaction of the board, after hearing as hereinafter provided, that any dentist or dental hygienist has been guilty of the following:

“(1) Fraud, deceit or misrepresentation, whether knowingly or unknowingly, in obtaining any license, license certificate, annual registration certificate, money or other thing of value; or

“(2) Gross immorality; or

“(3) Is a menace to the public health or to patients or others by reason of a disease; or

“(4) Is an habitual user of intoxicants or drugs rendering him unfit for the practice of dentistry or dental hygiene; or

“(5) Has been convicted for violation of federal or state narcotics or barbiturate laws; or

“(6) Is guilty of gross negligence in the practice of dentistry or dental hygiene; or

“(7) Is guilty of employing, allowing or permitting any unlicensed person or persons to perform any work in his office which, under the provisions of this chapter, can only be legally done by a person or persons holding a license to practice dentistry or dental hygiene; or

“(8) Willfully or negligently violates the rules of the state department of health or of the board regarding sanitation; or

“(9) Is guilty of division of fees, or agreeing to split or divide the fee received for dental service with any person for bringing or referring a patient without the knowledge of the patient or his legal representative, except the division of fees between dentists practicing in a partnership and sharing professional fees, or in case of one licensed dentist employing another; or

“(10) Is guilty of professional connection or association with or lending his name to anyone who is engaged in the illegal practice of dentistry; or

“(11) Conviction in any court of competent jurisdiction of a felony or a misdemeanor involving moral turpitude; or

~~“(12) The board may suspend or revoke the license of any dental hygienist who is found guilty of using or attempting to use in any manner whatsoever any prophylactic lists, call lists, records, reprints, or copies of same, or information gathered therefrom, of the names of patients whom such dental hygienist served in the office of a prior employer, unless such names appear upon the bona fide call or prophylactic list of his present~~

employer and were caused to so appear through the legitimate practice of dentistry as provided for in this chapter. The board shall also suspend or revoke the license of any licensed dentist who is found guilty of aiding or abetting or encouraging a dental hygienist employed by him to make use of a so-called prophylactic list, or the calling by telephone or by use of letters transmitted through the mails to solicit patronage from patients formerly served in the office of any dentist employing such hygienists or nurse.

“(12) a. A dental hygienist using or attempting to use in any manner whatsoever any prophylactic list, call list, records, reprints, or copies of same, or information gathered therefrom, of the names of patients whom such dental hygienist served in the office of a prior employer, unless such names appear upon the bona fide call or prophylactic list of her present employer and were caused to so appear through the legitimate practice of dentistry as provided for in this chapter; or

“b. A licensed dentist who aids or abets or encourages a dental hygienist employed by him to make use of a so-called prophylactic list or the calling by telephone or by the use of letters transmitted through the mails to solicit patronage from patients formerly served in the office of any dentist employing such hygienist or nurse; or

“(13) Pertaining to licensed dentists only, the prescribing, administering or dispensing of any controlled substances enumerated in Schedules I through V contained in the Alabama uniform controlled substances act, chapter 2 of title 20, or any amendment or successor thereto, for any person not under his treatment in the regular practice of his profession; or

“(14) Irregularities in billing an insurance company or other third party payer for services rendered to a patient; or

“(15) Violating any rule or regulation adopted by the board of dental examiners; or

“(16) Has had his license to practice dentistry or dental hygiene from another state suspended or revoked based upon acts similar to those described in this section. A certified copy of the record of suspension or revocation of the state making such suspension or revocation shall be conclusive evidence thereof.

“For the purposes of this section irregularities in billing shall include: reporting charges for the purpose of obtaining a total payment in excess of that usually received by the dentist for the services rendered; falsely reporting treatment dates for the purpose of obtaining payment; falsely reporting charges for services not rendered; falsely reporting services rendered for the purpose of obtaining payment; or failing to advise any third party payer that the co-payment provisions of a contract have been abrogated by accepting the payment received from the third party payer as full payment.

“(b) When the board finds any dentist or dental hygienist guilty of any of the grounds set forth in subsection (a), it may enter an order imposing one or more of the following penalties:

“(1) Refuse to issue the dentist or dental hygienist license or license certificate provided for in this chapter.

“(2) Revoke the license of any dentist or dental hygienist.

“(3) Suspend the license of any dentist or dental hygienist.

“(4) Enter a censure.

“(5) Issue an order fixing a period and terms of probation best adapted to protect the public health and safety and to rehabilitate the dentist or dental hygienist.

“(6) Imposition of an administrative fine not to exceed \$1,000.00 for each count or separate offense.

“(7) Imposition of restrictions on the scope of practice.

“(8) Imposition of peer review or professional education requirements.

“(9) Assessment of the costs of the disciplinary proceedings.

“(c) Failure to comply with any final order of the board, including but not limited to an order of censure or probation, is cause for suspension or revocation of a license.

“(d) No disciplinary action as outlined in subsections (b) or (c) hereof shall be invoked or entered except after hearing by the board as provided in this chapter, and such order is subject to judicial review as provided by this chapter.

“No order of suspension or revocation provided in this section shall be made or entered except after hearing by the board as provided in this chapter, and such order shall be subject to judicial review as provided by this chapter.

“§34-9-19.

“(a) For the purpose of this section, the following terms shall have the respective meanings:

“(1) DENTIST. Any person licensed to practice dentistry in this state pursuant to the provisions of this chapter, any association or partnership formed for the purpose of practicing dentistry and any professional corporation or professional unincorporated association formed pursuant to Title 10, Chapter 4 or 10, for the purpose of practicing dentistry.

“(2) ROUTINE DENTAL SERVICE. A dental service may be considered routine for a dentist if it has the following characteristics:

“a. It is performed frequently in the dentist's practice.

“b. It is usually provided at a set fee to substantially all patients receiving the service.

“c. It is provided with little or no variance in technique or materials.

“d. It includes all professionally recognized components within generally accepted standards.

“(3) ADVERTISEMENT. An advertisement is information communicated in a manner designed to attract public attention to the practice of a dentist as heretofore defined.

“(4) FALSE, FRAUDULENT, MISLEADING OR DECEPTIVE. A false, fraudulent, misleading or deceptive statement or claim is one which:

“a. Contains a misrepresentation of fact;

“b. Is likely to mislead or deceive because in context it makes only a partial disclosure of relevant facts;

"c. Or is intended or is likely to create false or unjustified expectations of favorable results;

"d. Implies unusual or superior dental ability;

"e. Contains other representations or implications that in reasonable probability will cause an ordinary and prudent person to misunderstand or be deceived.

~~"(b) A dentist may provide information regarding himself, his practice, and fixed fees associated with routine dental services in a dignified manner in newspapers, magazines, yellow page directories, consumer directories, or comparable written publications or broadcast advertising over federal communications commission approved commercial radio or television. The dentist shall have ultimate responsibility for all advertisements which are approved by him, his agents or associates and the dentist shall be responsible for the following:~~

~~"(1) Broadcast advertisements shall be recorded, approved by the dentist and a recording of the actual transmission shall be retained by the dentist.~~

~~"(2) Written or printed advertisements shall be approved by the dentist and a copy of the publication in which the advertisement is displayed shall be retained by the dentist.~~

~~"(3) Other forms of advertisement shall be approved by the dentist and the contents and specifications (where applicable) shall be retained by the dentist.~~

~~"(4) Advertising shall include the name of the dentist(s) and the names of all associates.~~

~~"(5) Advertising may include the following information:~~

~~"a. The dentist's title or degree or designation of any special area of dental practice approved by the American Dental Association in which the dentist has met the existing educational requirements and standards set forth by that association.~~

~~"b. Office and telephone answering hours, office location, office telephone number and residence address and telephone number.~~

~~"c. Fixed fees for a specific, routine dental service. (Where complications are likely to arise or where other more expensive services may be required or advised or where special classes or patients such as children are involved, the advertising shall indicate the maximum fee which may be charged.)~~

~~"(6) A dentist may use or participate in the use of professional cards, appointment slips or cards, office signs, signs designating location, letterhead, or similar professional notices, only if they are presented in a reasonably dignified manner.~~

"(b) A dentist may provide information regarding himself, his practice, and fixed fees associated with routine dental services in a dignified manner only in newspapers, magazines, yellow page directories, consumer directories, or comparable publications, or billboards or in written communication by mail or in broadcast advertising over federal communications commission approved commercial radio or television. Contact by telephone or in person delivery of written materials other than through the postal service or similar delivery service is prohibited, except as provided in subdivision (6) hereof.

In so advertising, a dentist shall not make any false, fraudulent, misleading or deceptive statements or claims. The dentist shall have ultimate responsibility for all advertisements which are approved by him, his agents or associates and the dentist shall be responsible for the following:

“(1) Broadcast advertisements shall be recorded, approved by the dentist and a recording of the actual transmission shall be retained by the dentist for one year following the final appearance or use of the advertisement and the dentist is responsible for making copies of same available to the board of dental examiners within 10 days following a request by the board.

“(2) Written or printed advertisements shall be approved by the dentist and a copy of the publication in which the advertisement is displayed shall be retained by dentist for one year following the final appearance or use of the advertisement, and the dentist is responsible for making copies of same available to the board of dental examiners within 10 days following a request by the board.

“(3) Other forms of advertisement shall be approved by the dentist and the contents and specifications (where applicable) shall be retained by the dentist for one year following the final appearance or use of the advertisement and the dentist is responsible for making copies of same available to the board of dental examiners within 10 days following a request by the board.

“(4) Advertising shall include the name of the dentist(s) and the names of all associates.

“(5) Advertising may include the following information:

“a. The dentist's title or degree or designation of any special area of dental practice approved by the American Dental Association in which the dentist has met the existing educational requirements and standards set forth by that association.

“b. Office and telephone answering hours, routine dental service. Where complications are likely to arise or where other more expensive services may be required or advised or where special classes of patients such as children are involved, the advertising shall indicate the maximum fee which may be charged.

“(6) A dentist may use or participate in the use of professional cards, appointment slips or cards, office signs, signs designating location, letterhead, or similar professional notices, only if they are neither false, fraudulent, misleading or deceptive.

“(c) The following requirements shall be met by a dentist when advertising a routine dental service:

“(1) No range of fee may be advertised for routine dental services.

“(2) Consultation, treatment planning, or treatment for any routine dental service advertised for a specific fee must be made available for a minimum of 60 days following the last day of publication or broadcast of that fee or for any shorter period of time if clearly specified in the advertisement.

“(3) When a routine dental service is advertised as ‘free’, ‘no charge’, ‘without charge’, or the like, such service must be made available at no cost for a minimum of 60 days following the date of the last publication or

broadcast of such free service or for any shorter period of time if clearly specified in the advertisement.

“(4) When a patient accepts the treatment plan for a routine dental service which was advertised by the dentist ~~during the previous 60 days for a specific fee~~, any subsequent dental service which is reasonably and foreseeably related to the advertised routine service must be provided without additional charge, unless the advertisement for the routine dental service includes the following statement:

“Additional charges may be incurred for related services which may be required in individual cases.

~~“(5) Advertisements may not include or use drawings, multi-colored prints, illustrations, animations, portrayals, dramatizations, slogans, music, lyrics, pictures, or demonstrations of skills or methods of practicing dentistry. Advertisements may not include the following:~~

“a. Drawings, multi-colored prints, illustrations, animations, portrayals, dramatizations, slogans, music, lyrics, or pictures which are false, fraudulent, misleading or deceptive.

“b. Celebrities, celebrity or personality endorsements.

“c. Demonstrations of skills or methods of practicing dentistry.

“(6) Directly or indirectly offering, giving, receiving or agreeing to receive any fee or other consideration to or from a third party for the referral of a patient in connection with the performance of professional services is prohibited.

“(7) Testimonials and endorsements, including but not limited to, character references, statements of benefits from dental services received, and expressions of the appreciation for dental services shall not be used in any announcement, publicity, or advertisement.

“(8) Promotion of the sale of services, goods, appliances, or drugs in such manner as to exploit the patient for the financial gain of the practitioner or of a third party is prohibited.

“(9) Revealing a patient's personally identifiable facts, data, or information obtained in a professional capacity is prohibited.

~~“(10) Use of circulars, flyers, matchbooks, mirrors, throw-aways, bumper stickers or such articles to advertise is prohibited. All advertisements shall contain, in legible print, the following language:~~

“‘No representation is made about the quality of the dental services to be performed or the expertise of the dentist performing such services.’

“(d) The dentist is prohibited from including the following when advertising:

“(1) Statements claiming superiority in the name of a particular method of treatment shall be considered misleading and are prohibited. Such prohibition shall include but not be limited to:

“a. Statements that a certain dentist is a specialist or specializes in any branch of dentistry unless that speciality is approved by the American Dental Association and the dentist has met the existing educational requirements and standards set forth by the American Dental Association for that approved

speciality. It is further provided that dentists who choose to announce specialization or the term 'practice limited to' shall:

"1. Limit their practice exclusively to the announced special area(s) of dental practice, provided at the time of the announcement such dentists have met in each approved specialty for which they announce the existing educational requirements and standards set forth by the American Dental Association.

"2. Not use their eligibility to announce as specialists to make the public believe that specialty services rendered in the dental office are being rendered by qualified specialists when such is not the case.

"3. Avoid any inference that general practitioners who are associated with specialists are qualified to announce themselves as specialists.

"4. Include an acknowledgement in all advertisements that refer to specialty services indicating whenever said services are being performed by a general dentist.

"b. Statements such as 'quality dentistry', 'quality work', 'staff of skilled dentists', 'skilled employees', or references to uncertified or unlicensed employees.

"c. Statements that a certain dentist uses or may use a special material, drug formula, medicine or appliance, that is not available or used by other dentists generally.

"(2) Statements of superior facilities at a certain office are prohibited; for example, 'scientifically equipped', 'latest modern equipment', 'modern offices', 'modern methods', 'modern devices', or any similar expressions.

"(3) The advertising of performance of any dental operation without causing pain is prohibited.

"(4) False statements including the number of years in practice or in any one location or reference thereto are prohibited.

"(5) The omission from signs, or advertising of the names of any associates or employed licensed dentist is prohibited.

"(6) Statements of any nature that indicate that a certain dentist does all the work himself, when, as a matter of fact, all or part of the work or service is performed by another, are prohibited.

"(7) Statements which indicate the use of any anesthetic, drug, formula, material, method or system which is falsely advertised or misnamed are prohibited.

"(8) Statements that a dentist or a dental group is affiliated with a non-profit or charitable organization are prohibited.

"(e) No dentist shall advertise or solicit patients in a manner that is false or misleading in any material respect. No dentist shall advertise or solicit patients in a manner that is false, fraudulent, misleading or deceptive in any material respect.

"(f) No dentist shall publish or circulate, directly or indirectly, any fraudulent, false or misleading statements as to the skill or methods of practice of himself or any other person. No dentist shall publish or circulate,

directly or indirectly, any fraudulent, false, misleading or deceptive statements as to the skill or methods of practice of himself or any other person.

“(g) In the case of advertising no dentists shall cause their name or picture to appear in connection or association with any publication, statement, article or presentation connected with or concerning any aspect of dentistry unless the publication, statement, article or presentation is actually authored, written or prepared by that dentist.

~~“(h) Violation of any provision of this section shall subject the dentist to the suspension or revocation of his license. No such order of suspension or revocation shall be made or entered except after notice and hearing by the board as provided in this chapter, and such order shall be subject to judicial review as provided by this chapter. Violation of any provision of this section shall subject the dentist to the penalties outlined in section 34-9-18, and no order imposing those penalties shall be made or entered except after notice and hearing by the board as provided in this chapter, and such order shall be subject to judicial review as provided by this chapter.~~

“§34-9-22.

“Whoever sells or offers to sell a diploma conferring a dental degree, or a license certificate or annual registration certificate granted pursuant to this chapter or prior dental act, or procures such diploma or license certificate or annual registration certificate with intent that it shall be used as evidence of the right to practice dentistry or dental hygiene as defined by law, by a person other than the one upon whom it was conferred or to whom such license certificate or annual registration certificate was granted, or with fraudulent intent alters such diploma or license certificate or annual registration certificate, or uses or attempts to use it when it is so altered shall be deemed guilty of a misdemeanor. The board may refuse to grant a certificate to practice dentistry or dental hygiene to any person found guilty of making a false statement or cheating, or of fraud or deception either in applying for a license, a license certificate or annual registration certificate or in taking any of the examinations provided for herein. The board may impose any of the penalties outlined in section 34-9-18 against any person found guilty of making a false statement or cheating, or of fraud or deception either in applying for a license, a license certificate or annual registration or in taking any of the examinations provided for herein.

“§34-9-25.

~~“From any order of the board refusing to issue a license or license certificate or revoking or suspending a license or license certificate, any party affected thereby may bring an action in the circuit courts to set aside said order on the ground that the same is unlawful or arbitrary. From any order of the board imposing any of the penalties found in section 34-9-18, any party affected thereby may bring an action in the circuit courts to set aside said order on the ground that same is unlawful or arbitrary.~~

“§34-9-26.

“No person shall practice as a dental hygienist in this state until such person has passed an examination given by the board under such rules and regulations as it may promulgate. The fee for such examination shall be not less than \$20.00 nor more than \$180.00, and the license certificate fee shall be \$20.00. The board shall issue licenses and license certificates as dental hygienists to those persons who have passed said examination and have been found qualified by the board. The license certificate and annual registration

certificate shall be displayed in the office in which the dental hygienist is employed. No person shall be entitled to such license and license certificate unless such person is 19 years of age and of good moral character. Each applicant for examination and license as a dental hygienist shall be a graduate of a school of dental hygiene which has been approved by the board or in lieu thereof shall have served at least one year as a dental assistant and shall have served at least one year as a dental hygienist trainee under a training permit issued by the board to a qualified dentist practicing in this state in accordance with the dental hygienist training program established by the board of dental examiners of Alabama. Any person practicing in violation of the provisions of this section shall be guilty of a misdemeanor, and the board may revoke or suspend his or her license for such violation. Any person practicing in violation of the provisions of this section shall be guilty of a misdemeanor, and the board may impose the penalties outlined in section 34-9-18 for such violation.

“§34-9-27.

“A dental hygienist shall work only under the direct supervision of a duly licensed dentist practicing in this state. Dental hygienists may take, develop and mount oral X-rays; remove calcareous deposits, accretions or stains from the teeth; and assist a licensed dentist in his or her practice. Dental hygienists may take, develop and mount oral x-rays; remove calcareous deposits, accretions or stains from the teeth, perform any intra-oral procedures allowed by rule or regulation of the board of dental examiners of Alabama and assist a licensed dentist in his or her practice. Any person licensed by the board under this section who has completed the curriculum for dental hygienists at a dental school approved by the board shall have the right to use the title dental hygienist or the abbreviations thereof, 'D.H.' appended to his or her name signifying the certificate conferred. The board may suspend or revoke the license, license certificate and annual registration certificate of any licensed dentist who shall permit any dental hygienist working under his or her supervision to perform any operation other than those permitted under the provisions of this section, and may suspend or revoke the license of any dental hygienist who shall perform any operation other than those permitted under this section. The board may impose any of the penalties outlined in section 34-9-18 against any dentist who shall permit any dental hygienist working under his or her supervision to perform any operation other than those permitted under the provisions of this section, and may impose the penalties outlined in said section 34-9-18 against any dental hygienist who shall perform any operation other than those permitted under this section.

“§34-9-29.

“When it appears to the board that any person who is not licensed under the provisions of this chapter is violating any of the provisions of this chapter, the board may in its own name bring an action in the circuit court for an injunction, and said court of this state may enjoin any person from violating this chapter regardless of whether proceedings have been or may be instituted before the board or whether criminal proceedings have been or may be instituted. When it appears to the board that any person is violating any of the provisions of this chapter, the board may in its own name bring an action in the circuit court for an injunction, and said court of this state may enjoin any person from violating this chapter regardless of whether proceedings have been or may be instituted before the board or whether criminal proceedings have been or may be instituted. For purposes

REGULAR SESSION
25th Day

1315

of this section, person shall be deemed to include any individual, firm, partnership, corporation, professional association, professional corporation or other entity.

“§34-9-41.

“The board shall annually elect from its membership a president, vice-president and secretary-treasurer and may employ a secretary who is not a member of the board, and it shall not be necessary that the secretary be a dentist. The board shall have a common seal. The board shall hold an annual meeting in Birmingham at the University of Alabama School of Dentistry as soon as practical after the graduation exercises of the dental school for the purpose of examining applicants for a license to practice dentistry and dental hygiene or at such other times and places as the board may designate for the purpose of transacting its business and examinations. ~~Three members of the board shall constitute a quorum for the transaction of business at any meeting; except, that, in conducting hearings involving the suspension or revocation of licenses and examinations of licensure, five members of the board shall be present. In conducting examinations or hearings involving the suspension or revocation of licenses, a majority of the board may appoint any former member of the board and such other licensed practicing dentists who for such purposes shall have all the powers and privileges of such office as the regular board members possess. Three members of the board shall constitute a quorum for the transaction of business at any meeting except, that, in conducting hearings involving any of the penalties outlined in section 34-9-18 and examinations of licensure, five members of the board shall be present. In conducting examinations or hearings involving any of the penalties outlined in section 34-9-18, a majority of the board may appoint any former member of the board and such other licensed practicing dentists who for such purposes shall have all the powers and privileges of such office as a regular board member possesses.~~ Out of the funds of the board the members thereof shall receive as compensation a sum to be fixed by the board, said sum not to be less than \$25.00 nor more than \$150.00 per day and the necessary expenses for each day actively engaged in the duties of their office. The secretary-treasurer shall receive such compensation as may be fixed by the board, which shall be in addition to his per diem and expenses, provided no per diem or expenses shall be allowed unless his duties require his absence from his office. The secretary shall receive such compensation as may be fixed by the board. The secretary-treasurer shall be custodian of all property, money, records and the official seal of the board. All money received by the board under this chapter shall be paid to and received by the secretary-treasurer of the board. The secretary-treasurer shall deposit to the credit of the board all funds paid to the board in a bank selected by its members. The board is authorized to expend such funds as shall be necessary to enforce the provisions of this chapter; to pay salaries, expenses and other costs herein provided; to promote the arts and science of dentistry; and for such other purposes as the board shall consider to be in the best interest of dentistry in this state. All the costs herein provided for shall be paid by checks drawn by the secretary-treasurer and countersigned by the president of the board. Should the property be other than money, the secretary-treasurer shall provide for the safekeeping thereof for the use of the board. All money, including license fees, annual renewal license certificate fees, examination fees and any and all other fees and receipts under the provisions of this chapter, are hereby appropriated to the board of dental examiners to be used as herein provided. ~~On or before July 1, 1962, the board shall send a copy of this section to all licensed dentists in the state of Alabama.~~

“§34-9-43.

“The board shall exercise, subject to the provisions of this chapter, the following powers and duties:

“(1) Adopt such rules for its government as it may deem necessary and proper;

“(2) Prescribe rules for qualification and licensing of dentists and dental hygienists;

“(3) Conduct examinations to ascertain the qualification and fitness of applicants for licenses as dentists and dental hygienists;

“(4) Make rules and regulations regarding sanitation;

“(5) Formulate rules and regulations by which dental schools and colleges shall be approved and formulate rules and regulations by which training, educational, technical, vocational, or any other institution which provides instruction for dental assistants, dental laboratory technicians or any other paradecimal shall be approved;

“(6) Grant licenses, issue license certificates, teacher’s permits and annual registration certificates in conformity with this chapter to such qualified dentists and dental hygienists;

“(7) ~~Conduct hearings or proceedings to suspend or revoke a license granted under the authority of this chapter or previous acts; Conduct hearings or proceedings to impose the penalties outlined in section 34-9-18;~~

“(8) Employ such persons as it may deem necessary to assist in carrying out its duties in the administration and enforcement of this chapter, and to provide offices, furniture, fixtures, supplies, printing or secretarial service; expend such funds as may be deemed necessary therefor, and employ an attorney or attorneys, subject to the approval of the attorney general, to advise and assist in the carrying out and enforcing of the provisions of this chapter;

“(9) Investigate violations of the chapter that may come to the knowledge of the board, and institute or cause to be instituted before the board or in a proper court appropriate proceedings in connection therewith;

“(10) Adopt rules and regulations to carry out and make effective the provisions of this chapter;

“(11) Publish annually the rules and regulations promulgated by the board, a copy of the Dental Practice Act and a list of all persons licensed to practice under this chapter; and

“(12) Attend such meetings, seminars, work shops, or events that may in any way improve the function and efficiency of the board or improve the board’s ability to enforce and carry out the provisions of this chapter.”

Section 2. Any person licensed to practice dentistry in the state of Alabama shall be authorized to use anesthesia in accordance with the provisions of this section.

(1) All dentists are authorized to use local anesthesia.

(2) Twelve months after the effective date of this act, no dentist shall use general anesthesia on an outpatient basis for dental patients, unless such

dentist possesses a permit of authorization issued by the board of dental examiners.

a. In order to receive such permit, the dentist must apply on a prescribed application form to the board of dental examiners, submit application fee to be determined by the board of dental examiners not to exceed \$100.00 and produce evidence showing that he or she:

1. Has completed a minimum of one year of advanced training in anesthesiology and related academic subjects (or its equivalent) beyond the undergraduate dental school level in a training program as described in part II of the guidelines for teaching the comprehensive control of pain and anxiety in dentistry; or

2. Is a diplomat of the American board of oral and maxillofacial surgery, or is eligible for examination by the American board of oral and maxillofacial surgery, or is a member of the American association of oral and maxillofacial surgeons; or

3. Employs or works in conjunction with a qualified medical doctor who is a member of the anesthesiology staff in an accredited hospital, provided that such anesthesiologist must remain on the premises of the dental facility until any patient given a general anesthetic regains consciousness and is discharged; and

4. Has a properly equipped facility for the administration of general anesthesia staffed with a supervised team of auxiliary personnel capable of reasonably assisting the dentist with procedures, problems and emergencies incident thereto. Adequacy of the facility and competence of the anesthesia team shall be determined by the board of dental examiners as outlined below.

b. Prior to the issuance of such permit, the board of dental examiners, at its discretion, may require an on-site inspection of the facility, equipment and personnel to determine if, in fact, the aforementioned requirements have been met. This evaluation shall be carried out in a manner prescribed by the board. The evaluation shall be conducted by a team of three examiners appointed by the board of dental examiners. These examiners shall be dentists who are authorized to administer general anesthesia.

If the results of the initial evaluation are deemed unsatisfactory, upon written request of the applicant, a second evaluation shall be conducted by a different team of examiners.

(3) Each dentist who is licensed to practice dentistry in the state at the effective date of this act who desires to continue to use general anesthesia shall make application on the prescribed form to the board of dental examiners within 12 months of the effective date of this act. If he meets the requirements of this section, he shall be issued such a permit. If said applicant does not meet the requirements of paragraph a. of subdivision (2) of this section, he may be entitled to a "General Anesthesia Permit" provided said applicant passes to the satisfaction of the board an on-site inspection as provided for in paragraph b. of subdivision (2) of this section.

(4) Each dentist who has not been using general anesthesia prior to the effective date of the act, may be granted by the board a temporary provisional permit based on the applicant's producing evidence that he or she has complied with paragraph a. of subdivision (2) of this section above pending complete processing of the application and thorough investigation of an on-site evaluation as described in paragraph b. of subdivision (2) of this section.

Section 3. (a) Any dentist holding a permit of authorization issued by the board of dental examiners shall be subject to review and such permit must be renewed annually.

(b) The board shall, with fee to be determined by the board not to exceed \$50.00, renew the general anesthesia permit annually unless the holder is informed in writing that a reevaluation of his credentials and facility is to be required. In determining whether such reevaluation is necessary, the board shall consider such factors as it deems pertinent including, but not limited to, patient complaints and reports of adverse occurrences. Such reevaluation shall be carried out in the manner described in paragraph b. of subdivision (2) of this section.

Section 4. Any dentist using general anesthesia, and his auxiliary personnel shall be currently certified in cardiopulmonary resuscitation.

Section 5. The issuance of a permit for general anesthesia shall include the privileges of administering intravenous sedation in accordance with the provisions of this section.

(1) Twelve months after the effective date of this act, no dentist shall use intravenous sedation on an outpatient basis for dental patients unless such dentist possesses a permit of authorization issued by the board of dental examiners as hereinafter provided. The dentist applying for or holding such permit shall be subject to on-site inspections as set forth in paragraph b. of subdivision (2) of section 2.

a. In order to receive such permit, the dentist must apply on a prescribed application form to the board of dental examiners and submit a fee to be determined by the board of dental examiners not to exceed \$50.00 and produce evidence showing that he or she:

1. Has received formal training in the use of intravenous sedation and is competent to handle all emergencies relating to intravenous sedation and is currently certified in cardiopulmonary resuscitation. The certification of the formal training shall specify the total number of hours as well as the number of didactic hours and the number of patient contact hours. The number of didactic hours and the number of patient contact hours shall be determined by the board. This training program must have been approved as acceptable for training in intravenous sedation by the board of dental examiners; and

2. Has a properly equipped facility for the administration of intravenous sedation, staffed with a supervised team of auxiliary personnel, capable of reasonably assisting the dentist with procedures, problems and emergencies incident thereto.

b. Adequacy of the facility and the competency of the sedation team shall be determined by the board of dental examiners.

c. Prior to the issuance of such permit, the board of dental examiners at its discretion, may require an on-site inspection of the facility, equipment and personnel to determine if, in fact, the aforementioned requirements have been met. This evaluation shall be carried out in the same manner as provided in subdivision (2) of this section.

(2) Each dentist who is licensed to practice dentistry in the state on the effective date of this act who desires to continue to use intravenous sedation shall make application on the prescribed form to the board of dental

REGULAR SESSION
25th Day

1319

examiners within 12 months of the effective date of this act. If he meets the requirements of this section, he shall be issued such a permit. If said applicant does not meet the requirements of paragraph a. of subdivision (1) of this section, he may be entitled to an "Intravenous Sedation Permit" provided said applicant passes to the satisfaction of the board an on-site inspection. Said inspection shall ascertain that the dentist has a properly equipped facility for the administration of intravenous sedation, staffed with a supervised team of auxiliary personnel capable of reasonably assisting the dentist with procedures, problems and emergencies incident thereto.

The board, in conducting the on-site inspection and evaluations required in this section, shall appoint a team of three examiners who shall be dentists certified to administer intravenous sedation in accordance with this act.

(3) A dentist utilizing intravenous sedation and his auxiliary personnel shall be currently certified in cardiopulmonary resuscitation.

(4) Each dentist who has not been using intravenous sedation prior to the effective date of the act may be granted a temporary provisional permit by the board based on the applicant's producing evidence that he or she has complied with this section pending complete processing of the application and thorough investigation by the on-site evaluation.

Section 6. The board shall, with fee to be determined by the board not to exceed \$50.00, renew the intravenous sedation permit annually unless the holder is informed in writing that a reevaluation of his credentials and facility is to be required. In determining whether such reevaluation is necessary, the board shall consider such factors as it deems pertinent including, but not limited to, patient complaints and reports of adverse occurrences. Such reevaluation shall be carried out in the manner described in subdivision (2) of this section.

Section 7. (a) All licensees engaged in the practice of dentistry in the state must submit a complete report within a period of 30 days to the board of dental examiners of any mortality or other incident occurring in the outpatient facilities of such dentist which results in permanent physical or mental injury of said patient as a direct result of general anesthesia or sedation techniques.

(b) The board of dental examiners shall have authority to adopt rules and regulations implementing and enforcing the provisions of this section.

(c) Violation of any provision of this section shall subject the dentist to the penalties outlined in section 34-9-18, Code of Alabama 1975, and no order imposing those penalties shall be made or entered except after notice and hearing by the board as provided in chapter 9, title 34, Code of Alabama 1975, such order shall be subject to judicial review as provided by such chapter.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Langford	
Aldridge	Covington	Hand	Menton	
Bailey	Denton	Hilliard	Mitchem	
Barron	Ellis	Holmes	Smith (B)	
Bedsole	Figures	Horn	Strong	
Bishop				—20

Nays:

—0

And said Bill, H. B. 95, as thus amended by the substitute, was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little	
Aldridge	Cooley	Foshee	Menton	
Barron	Corbett	Hand	Smith (B)	
Bedsole	Denton	Hilliard	Strong	
Bishop	Ellis	Langford		—18

Nays:

—0

THE BILL:

S. 420. To amend section 44-1-76 to change the makeup, powers and duties of the youth services department district board of education.

was taken up.

Senator Bedsole offered the following substitute for the Bill, S. B. 420, to-wit:

SUBSTITUTE FOR S. B. 420

A BILL TO BE ENTITLED AN ACT

To amend Section 44-1-76, Code of Alabama, 1975, to change powers and duties of the youth services department district board of education.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 44-1-76, Code of Alabama 1975 is hereby amended to read as follows:

The board of youth services and the superintendent of education of the special school district shall stand in the same relationship to the state board of education as do local boards of education and local superintendents of education. The powers, duties and responsibilities of the board of youth services, the superintendent, and the functioning of the district shall be the same as provided for in Section 16-8-10 and 16-11-18. Nevertheless the board of youth services, should it deem it necessary or advisable, may select from its membership a committee of seven (7) persons, one from each of the congressional districts of the state of Alabama, which shall be authorized

REGULAR SESSION
25th Day

1321

to act as the board of education of the youth services department district. The board of youth services may empower this committee with such powers, duties and responsibilities as it deems necessary or advisable and may amend or withdraw such upon the same basis.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cooley	Ellis	Menton
Bailey	Corbett	Figures	Mitchem
Barron	Covington	Hand	Smith (B)
Bedsole	Denton	Hilliard	Strong
Cabaniss	Dial	Horn	

—18

Nays: —0

And said Bill, S. B. 420, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Cooley	Figures	Little
Barron	Corbett	Foshee	Menton
Bedford	Covington	Hand	Mitchem
Bedsole	Denton	Horn	Smith (B)
Bennett	Dial	Langford	Strong
Cabaniss	Ellis		

—21

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 220. To amend Section 12-21-109, Code of Alabama 1975, relating to the effect of written receipts, releases and discharges so as to clarify the inclusion of judgments entered pursuant to pro tanto settlements.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been

publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

RESOLUTION

Senator Hand requested and received permission to suspend the Rules in order to offer the following Senate Resolution, to-wit:

S. R. 234. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO S. B. 622.

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court or a majority of them, to give this body their written opinions on the following important constitutional question which has arisen concerning the pending bill, S. B. 622, a copy of which is attached to this Resolution and made a part hereof by reference:

1. Are the provisions of Section 1 of S. B. 622 in conflict with Article 4, Section 105, of the Constitution of Alabama of 1901?
2. Are the provisions of Section 1 of S. B. 622 in conflict with Article 17, Section 281, of the Constitution of Alabama of 1901?

RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send five true copies of the pending bill, S. B. 622, to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

Which was adopted.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 638. To provide for a state historic park and landmarks district in Mobile County to be known as "Africatown, U.S.A. State Historic Park and Landmarks District"; to provide for a public corporation for the purpose of developing, improving and maintaining such park and district; to prescribe the boundaries of such park and district and to authorize the Governor to enter into certain agreements with the progressive league for the development, supervision and maintenance of such park and district.

was taken up.

Senator Figures offered the following amendment to the Bill, S. B. 638, to-wit:

AMENDMENT TO S. B. 638

On page 2, line 20, delete the language "city" and insert in lieu thereof:
Cities of Mobile, Alabama and

On page 3, line 18, delete the language "City" and insert in lieu thereof:
Cities of Mobile, Alabama and

Which was adopted.

REGULAR SESSION
25th Day

1323

Yeas 15; Nays 0.

Yeas:

Senators:	Corbett	Horn	Sanders
Aldridge	Denton	Langford	Smith (B)
Bailey	Figures	Menton	Strong
Bedsole	Hilliard	Mitchem	
Cooley			—15

Nays: —0

And said Bill, S. B. 638, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 14; Nays 1.

Yeas:

Senators:	Bennett	Goodwin	Menton
Aldridge	Cooley	Hand	Sanders
Bailey	Denton	Hilliard	Smith (B)
Bedsole	Figures	Langford	—14

Nay Senator deGraffenried —1

(The President and Presiding Officer declared a quorum of the Senate present but not voting.)

THE BILL:

S. 554. To amend the amendment to the Constitution of Alabama of 1901 proposed by Act No. 85-79, H. 6, of the 1985 First Special Session, which provides for a permanent trust fund known as "The Alabama Trust Fund" with certain moneys derived by the state from the sale, leasing or other disposition of its rights in certain offshore oil, gas and other hydrocarbon minerals, so as to provide further for the membership of the board of trustees of such trust fund.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 554, to-wit:

COMMITTEE AMENDMENT TO S. B. 554

Amend Senate Bill 554 as introduced on page 5, line 26, by striking the word "five" after the comma and insert in lieu thereof the word "four";

Further amend Senate Bill 554 on page 5, line 27, by striking the word "two" after the comma and insert in lieu thereof the word "three";

Further amend Senate Bill 554 on page 6, by striking the language on lines 5 through 13 in their entirety and insert in lieu thereof the following:

"the first, second, third and fourth calendar years, respectively, next following the calendar year in which this amendment shall become effective; provided, however, that at least one trustee initially appointed by the Governor and at least one trustee initially appointed by the lieutenant governor to serve on such board shall be residents and qualified electors of one of the State's two leading offshore oil and natural gas producing counties, and

any successors to such trustees shall likewise be residents and qualified electors of one of such producing counties; the trustees to be appointed”;

Further amend Senate Bill 554 on page 6, by striking the language on line 16 in its entirety, and substitute in lieu thereof the following:

“ending at noon on October 1, in the fourth, fifth and sixth calendar”

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Mitchem	
Bailey	deGraffenried	Hand	Sanders	
Barron	Denton	Langford	Smith (B)	
Bedford	Dial	Little	Smith (J)	
Bennett	Ellis	Menton	Strong	—19

Nays: —0

And said Bill, S. B. 554, as thus amended, was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Mitchem	
Bailey	Denton	Hilliard	Sanders	
Bedford	Dial	Horn	Smith (B)	
Bennett	Ellis	Little	Smith (J)	
Cooley	Goodwin	Menton	Strong	—20
Corbett				

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 218. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bedford, the Senate non-concurred in the following House amendment to the Bill, S. B. 218, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 218

Amend S. B. 218, Section 1 sub sec d, Page 2, line(s) 4 by adding after the word system the following: Section (e) Any increase in salary provided

in the provisions of this section shall not apply unless approved by a resolution of the county governing body.

AMENDMENT TO S. B. 218, AS ENGROSSED

On page 1, lines 27 and 29, delete the figure “\$37,500.00” and insert in lieu thereof:

\$32,500.00

On page 1, line 32, delete the figure “\$37,500.00” and insert in lieu thereof:

\$32,500.00

AMENDMENT TO S. B. 218

Amend Senate Bill 218, page 2, by striking lines 7 through 9 in their entirety and substituting in lieu thereof the following:

Section 2. This act shall become effective October 1, 1985, following its passage and approval by the Governor or upon its otherwise becoming a law.

and requested a Committee on Conference.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Little
Amari	Corbett	Hand	Menton
Bailey	Covington	Hilliard	Sanders
Barron	Denton	Holmes	Smith (B)
Bedford	Dial	Horn	Smith (J)
Bishop	Ellis	Langford	Strong
Cabaniss	Foshee		

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Senators Bedford, Barron, and Mitchem.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 613. Relating to state health planning; to further provide and clarify the requirement for the issuance of a certificate of need prior to the change in use or conversion of any bed from one health care service to another.

was taken up.

Senators Bedford, Barron, and Mitchem offered the following substitute for the Bill, S. B. 613, to-wit:

SUBSTITUTE FOR S. B. 613

**A BILL
TO BE ENTITLED
AN ACT**

Relating to state health planning; to further provide and clarify the requirement for the issuance of a certificate of need prior to the change in

use or conversion of a bed from one health care service to another under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any law to the contrary notwithstanding, the designated state health planning agency provided for in Title 22, Chapter 21, Article 9, Code of Alabama 1975 shall require the issuance of a certificate of need prior to a change in the existing use of any hospital bed to use as a nursing home bed (swing bed as provided under federal regulation) on an interchangeable, limited, or continual basis by any means or duration; provided, that prior to the issuance of any such certificate of need for the use of a hospital bed as a nursing home bed, the bed need methodology in the state health plan must reflect a need for the bed based on the use of the bed as a nursing home bed according to nursing home bed need methodology and the facility must meet all the guidelines and licensure requirements of the bureau of licensure and certification of the state department of public health pertaining to nursing home beds including having a licensed nursing home administrator on duty.

Section 2. The provisions of this act are severable. If any part of this act is declared unconstitutional such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage by the legislature and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Covington	Holmes	Mitchem	
Bailey	Denton	Horn	Sanders	
Bedford	Ellis	Langford	Smith (B)	
Bennett	Goodwin	Little	Smith (J)	
Bishop	Hand	Menton	Strong	
Corbett	Hilliard			—21

Nays: —0

And said Bill, S. B. 613, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Covington	Hand	Mitchem	
Barron	Denton	Holmes	Sanders	
Bedford	Ellis	Horn	Smith (B)	
Bennett	Figures	Little	Smith (J)	
Bishop	Foshee	Menton	Strong	
Cabaniss	Goodwin			—21

Nays: —0

REGULAR SESSION
25th Day

1327

THE BILL:

S. 158. To amend Section 8-17-91, which provides for distribution of petroleum inspection fees; to provide that the State Treasurer shall make distribution of said fees.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Aldridge	Covington	Goodwin	Mitchem	
Bailey	deGraffenried	Hand	Smith (B)	
Barron	Denton	Hilliard	Smith (J)	
Bedford	Dial	Langford	Strong	
Cabaniss	Ellis	Little		—22

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Smith (B) requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Smith (B), B. I. R., S. B. 677, Rules.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 605. To amend further section 12-19-90, Code of Alabama 1975, relating to the fees charged by probate judges, so as to provide further for the fees for copies of instruments.

having been postponed on the Twentieth Legislative Day was again taken up.

And said Bill, S. B. 605, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Sanders	
Bailey	Dial	Holmes	Smith (B)	
Bishop	Ellis	Horn	Smith (J)	
Cabaniss	Foshee	Langford	Strong	
Covington	Goodwin	Little		—18

Nays: —0

THE BILL:

S. 258. To amend Section 38-2-6.1, Code of Alabama 1975, which provides for the office of state parent locator for the location of absent parents, so as to provide further for said office by providing the office with the authority to locate parents, putative parents, or children in cases of parental kidnapping or child custody disputes and providing that location

information may be obtained from the Department of Revenue and private employers.

was taken up.

The Standing Committee on Student and Youth Activities reported the following amendment to the Bill, S. B. 258, to-wit:

COMMITTEE AMENDMENT TO S. B. 258

Amend S. B. 258, Page 2, line 32, by striking the period after the word "address", then continue the sentence to read as follows:

to be obtained only from State tax records, and not to utilize information from any federal tax data or materials in the possession of the Revenue Department.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Corbett	Figures	Little	
Aldridge	deGraffenried	Hilliard	Menton	
Bennett	Denton	Holmes	Mitchem	
Bishop	Dial	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Strong	—19

Nays: —0

And said Bill, S. B. 258, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Cooley	Ellis	Langford	
Aldridge	Corbett	Figures	Little	
Bailey	Covington	Goodwin	Mitchem	
Bennett	deGraffenried	Hand	Smith (B)	
Bishop	Denton	Hilliard	Strong	
Cabaniss	Dial	Horn		—22

Nays: —0

REPORT FROM RULES

Senator Langford, B. I. R., S. B. 557, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Mitchem	
Aldridge	Dial	Holmes	Sanders	
Bailey	Dixon	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Figures	Little	Strong	
Bedsale	Foshee	Menton	Teague	
Cooley	Hand			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 291. To amend Section 27-41-14, Code of Alabama 1975, which provides for investments of life, disability and burial insurance companies, so as to allow said companies to invest in the African Development Bank.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Langford	
Aldridge	deGraffenried	Hand	Little	
Bailey	Dial	Hilliard	Menton	
Bennett	Ellis	Holmes	Smith (B)	
Bishop	Foshee	Horn	Teague	—19

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 280. To amend Section 36-29-2, Code of Alabama 1975, which creates the state employees' insurance board, so as to provide further for membership on the board.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 614. Relating to Cullman County; To provide for the continuation of supplemental salaries and expense allowances paid from the county treasury to the person holding the office of clerk and register of the circuit court.

Also:

S. 636. Relating to Wilcox County; creating a districting commission to establish district lines for the Wilcox County Commission and Wilcox County board of education; providing for the appointment of the members of the districting commission; providing for the number of districts; providing for the composition of the Wilcox County board of education and Wilcox County Commission; and providing for election of members of the board of education and county commission from single-member districts.

Also:

S. 643. Relating to Winston County; authorizing the levy of an additional county privilege, license, or excise tax on the sale, distribution, storage,

use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

S. 680. Proposing a local self-executing amendment to the constitution for Colbert County and its municipalities for the purpose of joining with Lauderdale County and its municipalities, if Lauderdale County adopts a constitutional amendment passed at the 1985 Regular Legislative Session which is substantially identical to this proposed amendment, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities to provide for the organization, powers, functions, duties and personnel of such authority, including the authority to issue bonds and incur debt, and for the payment of expenses of the authority and for the compensation of its employees. This proposed amendment also allows the governing body of Colbert County to levy an additional one cent tax for industrial development purposes and to provide for the distribution of the proceeds.

Also:

S. 691. Providing an additional expense allowance for the members of the county commission of Coffee County, the amount of which shall be determined by the amount of certain other compensation that may otherwise be provided by law for such members.

JOHN W. PEMBERTON,
Clerk.

REPORT FROM RULES

Senator Dial, B. I. R., S. B. 459, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Holmes	Parsons
Aldridge	Dixon	Horn	Sanders
Bailey	Ellis	Langford	Smith (B)
Barron	Figures	Little	Smith (J)
Bedsole	Foshee	Menton	Strong
Cooley	Hand	Mitchem	Teague
Denton	Hilliard		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 459. To amend sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners In Psychology, so as to provide for increases in certain fees charged by the Board.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

REGULAR SESSION
25th Day

1331

Yeas 27; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Langford	
Aldridge	Cabaniss	Figures	Little	
Bailey	Cooley	Foshee	Menton	
Barron	Corbett	Hand	Sanders	
Bedford	Covington	Hilliard	Smith (B)	
Bedsole	deGraffenried	Holmes	Smith (J)	
Bennett	Dial	Horn	Strong	—27

Nays: —0

REPORT FROM RULES

Senator Cooley, B. I. R., H. B. 669, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Holmes	Sanders	
Bailey	Dixon	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedsole	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Corbett	Goodwin			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 669. Revising the Laws of Alabama in Title 40 of the Code of Alabama as amended, providing for timely mailing as timely filing, conforming certain rules concerning the determination of basis to the federal income tax rules; removing restrictions on eligibility to elect Alabama S Corporation status; conforming certain rules concerning the recognition of gains to the federal income tax rules; deleting obsolete provisions; providing for the taxation of corporate distributions; extending the filing deadline where an extension of time for filing has been requested; exempting from the income tax certain charitable, educational, etc. organizations; imposing a tax on unrelated business taxable income of certain otherwise exempt organizations; modifying certain deductions of corporations; modifying the individual net operating loss deduction and making permanent the corporate net operating loss deduction; allowing a deduction of amortized portions of the expenses of organizing a corporation; conforming the rules concerning installment sales to reflect the current federal income tax rules and modifying such rules to limit the avoidance of the Alabama income tax; and providing that the above changes shall, with specified exceptions, take effect for taxable years beginning after December 31, 1984.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Menton	
Aldridge	Cooley	Hand	Mitchem	
Bailey	Covington	Hilliard	Sanders	
Barron	deGraffenried	Holmes	Smith (B)	
Bedford	Denton	Horn	Smith (J)	
Bennett	Dial	Little	Strong	
Bishop	Foshee			—25

Nays: —0**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., S. B. 555, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Sanders	
Barron	Ellis	Langford	Smith (B)	
Bedford	Figures	Little	Smith (J)	
Cooley	Foshee	Menton	Teague	
Corbett	Goodwin			—25

Nays: —0**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 555. To make supplemental appropriations from the Public Road and Bridge Fund to the State Highway Department for the fiscal year ending September 30, 1985.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Langford	
Bailey	Corbett	Hand	Little	
Bedford	Covington	Hilliard	Menton	
Bedsale	Denton	Holmes	Mitchem	
Bennett	Dial	Horn	Sanders	
Cabaniss	Foshee			—21

Nays: —0**THE BILL:**

S. 382. To further reapportion House District 88 and House District 89 of the Alabama Legislature based upon the 1980 census.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

REGULAR SESSION
25th Day

1333

Yeas 23; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Bailey	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Sanders	
Bedsole	Ellis	Holmes	Smith (B)	
Cabaniss	Figures	Horn	Smith (J)	—23

Nays: —0

REPORT FROM RULES

Senator Little, B. I. R., S. B. 637, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hand	Mitchem	
Aldridge	Dixon	Holmes	Parsons	
Bailey	Drinkard	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Denton	Goodwin			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 637. To amend Section 16-48-12, Code of Alabama 1975, which provides for the duties of the police officers at Auburn University, so as to provide further for the powers of said officers.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Cooley	Hilliard	Sanders	
Aldridge	Corbett	Horn	Smith (B)	
Amari	Denton	Langford	Smith (J)	
Bailey	Ellis	Little	Strong	
Cabaniss	Foshee	Menton		—18

Nays: —0

THE BILL:

S. 56. To amend Section 13A-10-30, which defines certain terms in the criminal code, so as to further define the term "escape"; provides that escape while on work release shall constitute a felony; and repeals Sections 14-8-42 and 14-8-67, Code of Alabama 1975.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Little	
Aldridge	Denton	Hand	Menton	
Amari	Ellis	Hilliard	Sanders	
Bedsole	Figures	Holmes	Smith (B)	
Cabaniss	Foshee	Langford	Smith (J)	
Cooley				—20

<i>Nays:</i>				—0
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REPORT FROM RULES

Senator Menton, B. I. R., S. B. 400, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Corbett	Goodwin			—25

<i>Nays:</i>				—0
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BILLS ON THIRD READING RESUMED**THE BILL:**

S. 232. To amend Section 9-2-107, Code of Alabama 1975, relating to the State Park Revolving Fund, so as to provide that up to 2% of the receipts of said fund may be reserved each year for use in major repair and maintenance service of land, buildings, and permanent equipment fixed assets; and capital improvements or alteration to land, buildings, or permanent equipment.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Little	
Aldridge	Denton	Hilliard	Menton	
Bedford	Ellis	Holmes	Sanders	
Bedsole	Figures	Horn	Smith (B)	
Cabaniss	Foshee	Langford	Smith (J)	
Cooley				—20

<i>Nays:</i>				—0
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THE BILL:

S. 64. To amend Section 40-23-7, Code of Alabama 1975, as last amended, relating to gross receipt sales tax payments, so as to revise the schedule of

estimated sales tax payments and to phase out those payments required from certain persons on account of business activity; and to repeal Section 40-23-7(b), Code of Alabama 1975, as amended, relating to the advance payment of such tax; and to provide effective dates.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 64, to-wit:

SUBSTITUTE FOR S. B. 64

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 40-23-7, Code of Alabama 1975, as last amended, relating to gross receipt sales tax payments, so as to revise the schedule of estimated sales tax payments and to phase out those payments required from certain persons on account of business activity; and to repeal Section 40-23-7(b), Code of Alabama 1975, as amended, relating to the advance payment of such tax; and to provide effective dates.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-23-7, Code of Alabama 1975, as last amended, is hereby amended to read as follows:

“§40-23-7.

“The taxes levied under the provisions of this division, except as otherwise provided, shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues.

“On or before the twentieth of each month, every person on whom the taxes levied by this division are imposed shall render to the department of revenue, on a form prescribed by the department, a true and correct statement showing the gross sales, the gross proceeds of sales or gross receipts of his business, as the case may be, for the next preceding month; the amount of gross proceeds or gross receipts which are not subject to the tax, or are not to be used as a measurement of the taxes due by such person, and the nature thereof; together with such other information as the department may demand and require. At the time of making such monthly report such person shall compute the taxes due and shall pay to the department of revenue the amount of taxes shown to be due.

“Any taxpayer liable for taxes under the provisions of this division whose average monthly state sales tax liability was \$1,000.00 or greater during the preceding calendar year shall make estimated payments to the department of revenue on or before the 20th day of the month in which the liability occurs as follows:

“(a) The amount of the first estimated payment shall be sixty-six and two-thirds percent (66⅔%) of the taxpayer's actual tax liability for the month of October 1983; thereafter the amounts of the payment shall be the lesser of sixty-six and two-thirds percent (66⅔%) of the taxpayer's actual tax liability for the same calendar month of the preceding year of sixty-six and two-thirds percent (66⅔%) of the current month's estimated liability.

(b) Provided, however the percentage rate provided in subsection (a) of this section shall be reduced, over a three-year period, commencing October 1, 1985; such rates shall be as follows:

“(i) From October 1, 1985, through September 30, 1986, the rate shall be 50%.”

“(ii) From October 1, 1986, through September 30, 1987, the rate shall be 33%.”

“(iii) From October 1, 1987, through September 30, 1988, the rate shall be 16%.”

“(iv) From October 1, 1988, and thereafter the rate shall be 0%.”

~~“(b) (c)~~ Any outstanding credit or deficit arising from the taxpayer's overpayment or underpayment of his final liability shall be applied to either increase or reduce, as the case may be, that month's final tax liability which shall be reported and paid not later than the twentieth of the month next succeeding the month in which the tax accrues.

~~“(e) (d)~~ The revenues derived from the first month of receipts of the estimated payments made under the provisions of this section shall be deposited to the credit of the State General Fund and for all succeeding months the revenues shall be deposited in accordance with §40-23-35, Code of Alabama 1975.

~~“(d) (e)~~ The provisions of this section shall not apply to the provisions of §§11-51-200, and 40-12-4, Code of Alabama 1975.

“(f) When the total tax for which any person liable under this division does not exceed \$10.00 for any month, a quarterly return and remittance in lieu of the monthly returns may be made on or before the twentieth day of the months next succeeding the end of the quarter for which the tax is due when specially authorized by the department of revenue, and under such rules and regulations as may be prescribed.”

“(g) The department of revenue, for good cause, may extend the time for making any return required under the provisions of this division, but the time for filing any such return shall not be extended for a period greater than 30 days from the date such return is due to be made.”

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this act shall become effective on October 1, 1985, except as otherwise herein provided.

The Standing Committee on Finance and Taxation then reported the following amendment to the substitute for the Bill, S. B. 64, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 64

Amend substitute for Senate Bill 64, Page 4, Line 11, by striking out 1985 and inserting in lieu thereof 1986.

On motion of Senator Holmes, said amendment was laid on the table.

And on motion of Senator Holmes, said substitute was laid on the table.

Senator Holmes then offered the following substitute for the Bill, S. B. 64, to-wit:

SUBSTITUTE FOR S. B. 64

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 40-23-7, Code of Alabama 1975, as last amended, relating to gross receipt sales tax payments, so as to revise the schedule of estimated sales tax payments and to phase out those payments required from certain persons on account of business activity; and to repeal Section 40-23-7(b), Code of Alabama 1975, as amended, relating to the advance payment of such tax; and to provide effective dates.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-23-7, Code of Alabama 1975, as last amended, is hereby amended to read as follows:

“§40-23-7.

“The taxes levied under the provisions of this division, except as otherwise provided, shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues.

“On or before the twentieth of each month, every person on whom the taxes levied by this division are imposed shall render to the department of revenue, on a form prescribed by the department, a true and correct statement showing the gross sales, the gross proceeds of sales or gross receipts of his business, as the case may be, for the next preceding month; the amount of gross proceeds or gross receipts which are not subject to the tax, or are not to be used as a measurement of the taxes due by such person, and the nature thereof; together with such other information as the department may demand and require. At the time of making such monthly report such person shall compute the taxes due and shall pay to the department of revenue the amount of taxes shown to be due.

“Any taxpayer liable for taxes under the provisions of this division whose average monthly state sales tax liability was \$1,000.00 or greater during the preceding calendar year shall make estimated payments to the department of revenue on or before the 20th day of the month in which the liability occurs as follows:

“(a) The amount of the first estimated payment shall be sixty-six and two-thirds percent (66⅔%) of the taxpayer's actual tax liability for the month of October 1983; thereafter the amounts of the payment shall be the lesser of sixty-six and two-thirds percent (66⅔%) of the taxpayer's actual tax liability for the same calendar month of the preceding year of sixty-six and two-thirds percent (66⅔%) of the current month's estimated liability.

“(b) Provided, however the percentage rate provided in subsection (a) of this section shall be reduced, over a three-year period, commencing October 1, 1986; such rates shall be as follows:

“(j) From October 1, 1986, through September 30, 1987, the rate shall be 50%.

“(ii) From October 1, 1987, through September 30, 1988, the rate shall be 33%.

“(iii) From October 1, 1988, through September 30, 1989, the rate shall be 16%.

“(iv) From October 1, 1989, and thereafter the rate shall be 0%.

“(b) (c) Any outstanding credit or deficit arising from the taxpayer's overpayment or underpayment of his final liability shall be applied to either increase or reduce, as the case may be, that month's final tax liability which shall be reported and paid not later than the twentieth of the month next succeeding the month in which the tax accrues.

“(e) (d) The revenues derived from the first month of receipts of the estimated payments made under the provisions of this section shall be deposited to the credit of the State General Fund and for all succeeding months the revenues shall be deposited in accordance with §40-23-35, Code of Alabama 1975.

“(d) (e) The provisions of this section shall not apply to the provisions of §§11-51-200, and 40-12-4, Code of Alabama 1975.

“(f) When the total tax for which any person liable under this division does not exceed \$10.00 for any month, a quarterly return and remittance in lieu of the monthly returns may be made on or before the twentieth day of the months next succeeding the end of the quarter for which the tax is due when specially authorized by the department of revenue, and under such rules and regulations as may be prescribed.

“(g) The department of revenue, for good cause, may extend the time for making any return required under the provisions of this division, but the time for filing any such return shall not be extended for a period greater than 30 days from the date such return is due to be made.”

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this act shall become effective on October 1, 1986, except as otherwise herein provided.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Covington	Hilliard	Sanders
Amari	deGraffenried	Holmes	Smith (B)
Bailey	Denton	Horn	Smith (J)
Bedford	Ellis	Langford	Strong
Cabaniss	Figures	Little	

—22

Nays:

—0

And said Bill, S. B. 64, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

REGULAR SESSION
25th Day

1339

Yeas 24; Nays 0.

Yeas:

Senators:	Bishop	Drinkard	Little
Aldridge	Cabaniss	Ellis	Menton
Amari	Cooley	Figures	Sanders
Bailey	Corbett	Foshee	Smith (B)
Bedford	deGraffenried	Goodwin	Smith (J)
Bedsole	Denton	Holmes	Teague
Bennett			

—24

Nays: —0

THE BILL:

S. 707. Relating to Calhoun County; providing for the compensation of certain county officials and providing for the Judge of Probate to be reimbursed for the actual expenses of preparing voter lists.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Mitchem
Aldridge	Dixon	Holmes	Sanders
Amari	Drinkard	Horn	Smith (B)
Barron	Ellis	Langford	Smith (J)
Bedsole	Figures	Little	Strong
Cooley	Foshee	Menton	Teague
Denton	Hand		

—25

Nays: —0

REPORT FROM RULES

Senator Aldridge, B. I. R., S. B. 533, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hand	Mitchem
Aldridge	Dixon	Holmes	Sanders
Amari	Drinkard	Horn	Smith (B)
Bailey	Ellis	Langford	Smith (J)
Barron	Figures	Little	Strong
Cooley	Foshee	Menton	Teague
Denton	Goodwin		

—25

Nays: —0

Senator Smith (J), B. I. R., H. B. 344, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Parsons	
Aldridge	Denton	Holmes	Sanders	
Bailey	Dial	Horn	Smith (B)	
Barron	Dixon	Little	Smith (J)	
Bedford	Ellis	Menton	Strong	
Bedsole	Figures	Mitchem	Teague	
Cooley	Foshee			—25

Nays: —0

Senator Aldridge, B. I. R., S. B. 547, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Mitchem	
Aldridge	Dixon	Holmes	Parsons	
Bailey	Drinkard	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedsole	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Denton	Hand			—25

Nays: —0

Senator Aldridge, B. I. R., S. B. 546, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hand	Mitchem	
Aldridge	Dixon	Holmes	Parsons	
Bailey	Drinkard	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedsole	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Denton	Goodwin			—25

Nays: —0

Senator Aldridge, B. I. R., S. B. 545, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Parsons	
Aldridge	Dixon	Holmes	Sanders	
Bailey	Ellis	Horn	Smith (B)	
Barron	Figures	Little	Smith (J)	
Bedford	Foshee	Menton	Strong	
Cooley	Goodwin	Mitchem	Teague	
Denton	Hand			—25

Nays: —0

Senator Aldridge, B. I. R., S. B. 544, Rules reported favorably, adopted.

REGULAR SESSION
25th Day

1341

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Mitchem	
Aldridge	Dixon	Holmes	Sanders	
Bailey	Drinkard	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Denton	Hand			—25

Nays: —0

Senator Aldridge, B. I. R., S. B. 543, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Smith (B)	
Barron	Drinkard	Langford	Smith (J)	
Bedford	Ellis	Little	Strong	
Bedsole	Figures	Menton	Teague	
Cooley	Foshee			—25

Nays: —0

Senator Aldridge, B. I. R., S. B. 542, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Mitchem	
Aldridge	Dixon	Holmes	Sanders	
Bailey	Drinkard	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedsole	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Denton	Hand			—25

Nays: —0

Senator Aldridge, B. I. R., S. B. 541, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Mitchem	
Aldridge	Dixon	Holmes	Sanders	
Bailey	Drinkard	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Denton	Hand			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Dial requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Dial, B. I. R., S. B. 642, Rules.

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 532. Relating to missing persons and unidentified deceased persons; to create a statewide information center within the state department of public safety to receive reports and investigations of such persons; to require the center to enter and cancel certain information to the National Crime Information Center (NCIC) computer; to provide for certain other responsibilities of the center; to require the center to provide lists of missing school children, grades K-12, to the state board of education; to provide that the center shall upon request, assist local law enforcement agencies and other agencies to set up direct computer access to the center's computer system and to provide that the center maintain a toll-free telephone number for reporting by other persons of missing persons.

having been postponed on the Twentieth Legislative Day was again taken up.

The Standing Committee on Health and Welfare reported the following substitute for the Bill, S. B. 532, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 532**A BILL
TO BE ENTITLED
AN ACT**

Relating to missing persons and unidentified deceased persons; to create a statewide information center within the state department of public safety to receive reports and investigations of such persons; to require the bureau to enter and cancel certain information to the National Crime Information Center (NCIC) computer; to provide for certain other responsibilities of the bureau; to require the bureau to provide lists of missing school children, grades K-12, to the state board of education; to provide that the bureau shall upon request, assist local law enforcement agencies and other agencies to set up direct computer access to the state's computer system and to provide that the bureau maintain a toll-free telephone number for reporting by other persons of missing persons.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For purposes of this act, the following words shall have the meanings ascribed, unless the context clearly indicates otherwise:

- (a) Department. The Alabama department of public safety.
- (b) Director. The director of the department of public safety.
- (c) Bureau. The missing children bureau created by this act within the department.
- (d) Law enforcement agencies. Federal, state and local law enforcement agencies of this state primarily, and of other states generally.

(e) NCIC. The national crime information center and its computer system of reported missing persons and unidentified deceased persons maintained by the Federal Bureau of Investigation.

(f) CJIC. The criminal justice information center of the state.

Section 2. There is hereby created within the department of public safety a statewide information and investigation center for the reporting by law enforcement agencies and other agencies and persons of missing persons and unidentified deceased persons. The bureau shall be known as the Missing Children Bureau, hereinafter referred to simply as "the bureau."

Section 3. The director of the department of public safety is hereby required to establish the missing children bureau within the department, and for such purposes, is authorized to transfer or assign existing personnel within the department and to hire such additional technical, legal, clerical, investigative and other persons as are necessary to implement the provisions of this act.

Section 4. The bureau shall be responsible for the following specific functions:

(a) To receive and promptly enter into the state's computer system all reports of law enforcement agencies, and other persons and agencies, of missing children and adults, and of unidentified deceased persons, and all pertinent information submitted by the person or agency reporting which is contained in any investigation or investigations conducted pursuant to the report. The bureau shall also promptly enter such information in the NCIC computer network. If a missing person is subsequently found or if an unidentified deceased person is subsequently identified, and such information is reported to the bureau, the bureau shall immediately retrieve and cancel such data from the state computer system and from the NCIC computer system.

(b) To coordinate with other states and with the federal government in investigating cases of missing persons and unidentified bodies and to conduct appropriate investigations.

(c) To provide special training to law enforcement officers and medical examiners, when available, to help them handle cases of missing persons and unidentified bodies.

(d) To compile annual statistics on the number of missing persons and unidentified deceased persons in this state.

(e) To develop recommendations for better reporting and use of computer systems.

(f) To establish a toll free telephone number to assist agencies and individuals in the reporting of missing persons and unidentified deceased persons.

(g) To provide periodic lists, including photographs if available, to the state board of education, of all missing school children in this state, grades K-12.

(h) To assist local law enforcement agencies and other agencies to set up direct computer access to the state's computer system.

(i) To solicit and collect from the agencies of other states and the national government dealing with missing persons all available lists of missing children grades K-12 for dissemination to the state board of education.

(j) To provide all agencies of other states or the national government dealing with missing persons a list of all missing Alabama school children grades K-12, with photographs, if available, for dissemination to the school systems of such other states to locate such children.

(k) To act as liaison between private citizens and law enforcement agencies regarding the appropriate procedures for handling and responding to missing person cases.

(l) To assist local law enforcement agencies and community organizations who sponsor programs to fingerprint children by enabling parents to retain a permanent fingerprint record of their children for identification purposes.

Section 5. Any law enforcement agency in this state in which a complaint of a missing person has been filed shall prepare and send a report to the bureau within 72 hours on any missing person or unidentified deceased person. That report shall include, but is not limited to, the following:

a. All information contained in the complaint on a missing person.

b. All information or evidence gathered by a preliminary investigation, if one was made.

c. A statement, by the law enforcement officer in charge, setting forth that officer's assessment of the case based upon all evidence and information received.

d. An explanation of the next steps to be taken by the law enforcement agency filing the report.

Section 6. Upon completion of the report, a copy of the teletype message with pertinent information shall be forwarded to:

1. All law enforcement agencies having jurisdiction of the location in which the missing person lives or was last seen.

2. All law enforcement agencies considered to be potentially involved by the law enforcement agency filing the report.

3. All law enforcement agencies which the complainant requests the report to be sent to, if the request is reasonable in light of the information contained in the report.

4. Any law enforcement agency requesting a copy of the missing person report.

Section 7. Upon receiving a report of a person believed to be missing, the law enforcement agency shall conduct a preliminary investigation to determine whether the person is missing. If the person is determined to be missing, the agency shall immediately enter identifying and descriptive information about the person to the bureau and to the National Crime Information Center (NCIC) through the Criminal Justice Information Center (CJIC). Law enforcement agencies having direct access to the CJIC and the NCIC computer shall enter and retrieve the data directly and shall cooperate in the entry and retrieval of data on behalf of law enforcement agencies which do not have direct access to the systems. Law enforcement agencies shall likewise report or enter data to the bureau relating to unidentified deceased persons.

Section 8. Immediately after a missing person is located, or an unidentified deceased person is subsequently identified, the law enforcement

REGULAR SESSION
25th Day

1345

agency which locates or returns the missing person, or which identifies a previously unidentified deceased person, shall notify the law enforcement agency having jurisdiction over the investigation, and that agency shall cancel the entry from the state CJIC, the NCIC computer, and from the state bureau.

Section 9. The state board of education shall perform the following functions:

(a) Collect each month a list of missing Alabama school children, with a photograph, if available, as provided by the Missing Children Bureau. A missing Alabama school child shall be defined for the purposes of this section as a child under 18 years whose whereabouts are unknown. The list shall be designed to include such information as the board deems necessary for the identification of the missing school child; and

(b) Compile from the information collected pursuant to subsection (a) a list of missing school children, to be distributed monthly to all public school systems admitting children to kindergarten through grade 12. The list shall include the names of all such missing children, together with such other information, with photographs, when available. The school systems shall distribute this information to the public schools in the system by whatever manner each system deems appropriate.

Section 10. Every public school system in this state shall notify the department of education and the bureau immediately with respect to any child whose name appears on the department's list of missing school children who is subsequently found.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this act are hereby repealed.

Section 13. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Little	
Aldridge	Corbett	Hand	Menton	
Amari	deGraffenried	Hilliard	Mitchem	
Bedsale	Denton	Holmes	Smith (B)	
Bishop	Dial	Horn	Smith (J)	
Cabaniss	Ellis	Langford	Strong	—23

Nays: —0

And said Bill, S. B. 532, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Mitchem	
Aldridge	Denton	Hilliard	Sanders	
Amari	Dial	Horn	Smith (B)	
Bedford	Ellis	Langford	Smith (J)	
Bishop	Figures	Little	Strong	
Cabaniss	Foshee	Menton	Teague	
Cooley	Goodwin			—25

Nays:

—0

REPORT FROM RULES

Senator Dixon, B. I. R., H. B. 117, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Mitchem	
Aldridge	Dial	Holmes	Sanders	
Bailey	Dixon	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedsole	Figures	Little	Strong	
Cabaniss	Foshee	Menton	Teague	
Cooley	Hand			—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 117. To amend Section 36-26-17, Code of Alabama 1975, relating to the manner of filling vacancies in the classified service so as to increase the number of names certified by the state personnel department director.

was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Mitchem	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Hilliard	Smith (B)	
Bedford	deGraffenried	Horn	Smith (J)	
Bedsole	Denton	Langford	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Foshee	Menton		—26

Nays:

—0

THE BILL:

S. 211. To amend Section 22-20-3 of the Code of Alabama 1975, so as to further provide that all susceptible infants be tested for sickle cell anemia or sickle cell trait.

was taken up.

The Standing Committee on Health and Welfare reported the following amendment No. 1 to the Bill, S. B. 211, to-wit:

COMMITTEE AMENDMENT NO. 1 TO S. B. 211

Amend Senate Bill 211 on page 2, line 2, by inserting after the word “test” the following:

“when developed”

Further amend on page 2, line 4, by inserting after the word “performed” the following:

“by the Public Health Laboratory”

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Senators:	Corbett	Figures	Langford
Aldridge	Covington	Foshee	Little
Amari	deGraffenried	Goodwin	Menton
Bedford	Denton	Hand	Sanders
Bedsole	Dial	Hilliard	Smith (B)
Bishop	Dixon	Holmes	Strong
Cabaniss	Ellis	Horn	Teague
Cooley			—28

Nays: —0

The Standing Committee on Health and Welfare then reported the following amendment No. 2 to the Bill, S. B. 211, as amended, to-wit:

COMMITTEE AMENDMENT NO. 2 TO S. B. 211, AS AMENDED

Amend Senate Bill No. 211, page 2, line 1, by inserting “as designated by rules published by the State Board of Health” after the word “child”.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton
Aldridge	deGraffenried	Hand	Mitchem
Amari	Denton	Hilliard	Sanders
Bedford	Dial	Holmes	Smith (B)
Bedsole	Ellis	Horn	Smith (J)
Bishop	Figures	Langford	Strong
Cabaniss	Foshee	Little	Teague
Cooley			—28

Nays: —0

And said Bill, S. B. 211, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 29; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton
Aldridge	Covington	Hand	Mitchem
Amari	deGraffenried	Hilliard	Sanders
Bedford	Denton	Holmes	Smith (B)
Bedsole	Dial	Horn	Smith (J)
Bishop	Ellis	Langford	Strong
Cabaniss	Figures	Little	Teague
Cooley	Foshee		

—29

Nays:

—0

Senator Foshee requested and received unanimous consent in order to bring up the following Bill:

S. 690. To require the Board of Adjustment to hear and issue decisions concerning certain claims of employees of the Public Safety Department and appropriate certain funds to pay said claims.

Senator Foshee then offered the following substitute for the Bill, S. B. 690, to-wit:

SUBSTITUTE FOR S. B. 690

A BILL TO BE ENTITLED AN ACT

To require the Board of Adjustment to hear and issue decisions concerning certain claims of employees of the Public Safety Department and appropriate certain funds to pay said claims.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Adjustment, during the 1985-86 fiscal year, shall hear and issue decisions on claims made against the state by employees of the Department of Public Safety, concerning said employees being required to take administrative leave for the fiscal year 1982-83. Each employee of said department so required to take administrative leave in lieu of certain portions of salary during said fiscal year may submit to the Board of Adjustment a claim setting out the annual salary that said employee was entitled to receive under the state merit system pay scale during fiscal year 1982-83 and the amount of annual salary said employee actually received. The difference between these figures shall constitute the amount of the claim filed with the Board of Adjustment. There is hereby appropriated from the state general fund to the Department of Public Safety such sums as are necessary to pay said claims, provided said sums shall not exceed \$690,000.00. All said funds which are not paid to said employees shall revert to the state general fund.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws in conflict herewith are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

REGULAR SESSION
25th Day

1349

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Langford	
Aldridge	Cooley	Figures	Little	
Amari	Corbett	Goodwin	Menton	
Bedford	deGraffenried	Hand	Smith (B)	
Bedsole	Denton	Hilliard	Strong	
Bishop	Dial	Holmes	Teague	—23

Nays: —0

And said Bill, S. B. 690, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton	
Aldridge	Covington	Hand	Sanders	
Bedford	deGraffenried	Hilliard	Smith (B)	
Bedsole	Dial	Horn	Smith (J)	
Bishop	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee			—25

Nays: —0

Senator deGraffenried requested and received unanimous consent to remove the following Bill:

S. 318. To amend Section 41-9-374 of the Code of Alabama 1975, relating to certain appropriation provisions for the Alabama commissioners on uniform state laws, so as to remove the limitation on funds payable to the national conference of commissioners on uniform state laws.

from the Consent Calendar.

And said Bill, S. B. 318, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Goodwin	Sanders	
Barron	Covington	Hand	Smith (B)	
Bedford	deGraffenried	Hilliard	Smith (J)	
Bishop	Dial	Horn	Strong	
Cabaniss	Ellis	Little	Teague	—23

Nays: —0

REPORT FROM RULES

Senator Bedford, B. I. R., S. B. 695, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Holmes	Parsons	
Aldridge	Dixon	Horn	Sanders	
Bailey	Ellis	Langford	Smith (B)	
Barron	Figures	Little	Smith (J)	
Bedford	Foshee	Menton	Strong	
Cooley	Goodwin	Mitchem	Teague	
Denton	Hand			—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 695. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Figures	Little	Strong	
Bedsole	Foshee	Menton	Teague	
Cooley	Goodwin			—25

Nays:

—0

REPORT FROM RULES

Senator Teague, B. I. R., S. B. 696, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Mitchem	
Aldridge	Dixon	Holmes	Sanders	
Bailey	Drinkard	Horn	Smith (B)	
Barron	Ellis	Langford	Smith (J)	
Bedford	Figures	Little	Strong	
Cooley	Foshee	Menton	Teague	
Denton	Hand			—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 696. Proposing an amendment to the Constitution of Alabama relating to the exemption of the Birmingham Stallions Football Team, Inc.,

REGULAR SESSION
25th Day

1351

of Jefferson County from all state, city and county taxes for a period of five years.

was read a third time at length as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 1.

Yeas:

Senators:	Covington	Hand	Mitchem	
Amari	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Ellis	Horn	Smith (J)	
Bishop	Figures	Langford	Strong	
Cabaniss	Foshee	Little	Teague	
Cooley	Goodwin	Menton		—26
Nay Senator Corbett				—1

BUDGET ISOLATION RESOLUTIONS

Senator Little requested and received permission to suspend the Rules in order to offer the following Resolutions, to-wit:

Senator Little, B. I. R., H. B. 842, Rules.

Also:

Senator Little, B. I. R., H. B. 843, Rules.

REPORT FROM RULES

Senator Strong, B. I. R., S. B. 185, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem	
Aldridge	Dial	Holmes	Sanders	
Bailey	Dixon	Horn	Smith (B)	
Barron	Drinkard	Langford	Smith (J)	
Bedford	Ellis	Little	Strong	
Bedsole	Figures	Menton	Teague	
Cooley	Foshee			—25
<i>Nays:</i>				—0

Senator deGraffenried, B. I. R., S. B. 426, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Menton	
Aldridge	Dial	Hilliard	Mitchem	
Bailey	Dixon	Holmes	Sanders	
Barron	Drinkard	Horn	Smith (B)	
Bedsole	Ellis	Langford	Smith (J)	
Cooley	Figures	Little	Teague	
deGraffenried	Foshee			—25
<i>Nays:</i>				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 266. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 31, 1986.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Senator Smith (J) moved that the Senate concur in and adopt the following House amendment to the Bill, S. B. 266.

Senator Little offered a substitute motion that the Senate non-concur in the House amendment to the Bill, S. B. 266, and request a Committee on Conference.

On motion of Senator Smith (J), the substitute motion to non-concur was laid on the table.

Yeas 27; Nays 3.

Yeas:

Senators:	Bishop	Ellis	Langford	
Aldridge	Cooley	Figures	Menton	
Amari	Corbett	Foshee	Sanders	
Bailey	Covington	Hand	Smith (B)	
Barron	deGraffenried	Hilliard	Smith (J)	
Bedford	Denton	Holmes	Strong	
Bennett	Dial	Horn	Teague	—27

Nays:

Senators:	Bedsole	Cabaniss	Little	—3
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And on motion of Senator Bishop, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 266, the title of which is set out in the foregoing Message from the House.

HOUSE SUBSTITUTE FOR S. B. 266

**A BILL
TO BE ENTITLED
AN ACT**

To provide a cost-of-living salary increase for certain state employees for the fiscal year beginning October 1, 1985 and to appropriate funds for said increase. This bill limits the merit increase that may be paid to certain state employees for the fiscal year beginning October 1, 1985. This bill also provides longevity pay for certain state employees for the fiscal year beginning October 1, 1985.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Beginning on October 1, 1985, all state employees who are paid less than \$25,001 annually or who are paid less than \$961.58 bi-weekly

and are listed in the classified and unclassified service of the state as defined in Section 36-26-10, Code of Alabama 1975, and all other state employees and hourly employees of the state who are paid less than \$25,001 annually or who are paid less than \$961.58 bi-weekly, except those set out in Section 2 herein, and all legislative personnel, officers and employees who are paid less than \$25,001 annually or who are paid less than \$961.58 bi-weekly, including but not limited to Legislative Reference Service personnel, whether subject to the state merit system or not, and all circuit clerks and registers who are paid less than \$25,001 annually or who are paid less than \$961.58 bi-weekly, and all employees of the county health departments who are employed subject to the state merit system and who are paid less than \$25,001 annually or who are paid less than \$961.58 bi-weekly and whose compensation is paid out of a budget provided and agreed upon by the state, county, or other contributing agency under the direction of the state board of health shall receive a 5% salary increase. Any cost-of-living increase granted under the provisions of this Act shall in no way apply to any local supplement provided to any employee of this state. All such increases shall be in addition to the salary received by such employees. Any state employee or official, whether subject to the state merit system or not, who receives a pay increase under the provisions of this section shall not receive more than a one-step merit increase under the merit pay schedule for the fiscal year beginning October 1, 1985. It is the intention of the legislature that the Governor is hereby authorized to transfer such amounts to, from, and between such departments, boards, bureaus, commissions, agencies, offices, and institutions under his direct control for the purpose of paying the salary increase granted in Section 1 of this bill for state employees and officials.

Section 2. The provisions of this Act shall not apply to any merit system employee or hourly employee whose service or rates of pay are covered by any labor agreement or contract.

Section 3. The director of the state personnel department shall revise the schedule or rates set forth in the pay plan for state employees and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith. With respect to court officials and employees within the Unified Judicial System who serve the trial and appellate courts of the state and the Administrative Office of Courts, the Administrative Director of Courts shall revise the schedule of rates set forth in the pay plan for such court officials and employees to reflect the increase provided herein, and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith. With respect to legislative employees, the secretary of the senate for senate employees, the clerk of the house of representatives for house employees, the director of the Legislative Reference Service for Legislative Reference Service employees, and the director of the Legislative Fiscal Office for Legislative Fiscal Office employees shall revise the schedule or rates set forth in the pay plan for such legislative employees to reflect the increase provided herein, and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith.

Section 4. Such amounts as may be necessary to pay state employees the increased salaries provided in Section 1 are hereby appropriated for the fiscal year beginning October 1, 1985, from such funds as the salaries of the several state employees are paid. It is the intention of the legislature that the Governor is hereby authorized to transfer such amounts to, from, and between such departments, boards, bureaus, commissions, agencies, offices, and institutions under his direct control for the purpose of paying the salary increase granted in Section 1 of this bill for state employees and officials.

Section 5. Beginning on October 1, 1985, any state employee who is paid \$25,001 or more annually or who is paid \$961.58 bi-weekly or more and who is eligible for and is recommended to receive one or more step increases on the State Personnel Merit System Salary Schedule is limited to receive only a one-step increase in the fiscal year beginning October 1, 1985. The provisions of this section shall apply to all state employees who are paid \$25,001 or more annually or who are paid \$961.58 or more bi-weekly whether or not such employees are listed as classified, unclassified or exempt. It is the intent of the Legislature that no state employee or official, whether subject to the state merit system or not, shall receive more than a one-step merit salary increase for the fiscal year ending September 30, 1986.

Section 6. Each person employed by the State of Alabama, except employees otherwise covered under the provisions of Section 36-21-3 of the Code of Alabama 1975 and except state officials serving in elective offices, shall be entitled to and receive in a lump sum the first pay period of December each year the sum of \$300 per annum after said employee has served for a period of five years and shall receive said payment until the tenth year of service, at which time the payment shall be made in a like manner and at a like time but in the amount of \$400 per annum until the fifteenth year of service, at which time the payment shall be made in a like manner and at a like time but in the amount of \$500 per annum until the twentieth year of service, at which time the payment shall be made in a like manner and at a like time but in the amount of \$600 as long as he remains in service. These payments shall be in addition to all salaries or wages prescribed by the merit classification system and shall be in addition to any per diem allowances or expense allowance that may be in force at the time of payment. Said sum shall not be used in computing retirement or other benefits.

Section 7. Such amounts as may be necessary to pay the longevity payment provided in Section 6 of this bill are hereby appropriated for the fiscal year beginning October 1, 1985 from such funds as the salaries of the several state employees are paid.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 10. This Act shall become effective on September 16, 1985, with the first payment on October 11, 1985, for all employees covered by this Act who are paid bi-weekly, and effective on October 1, 1985, for all employees covered by this Act whose salaries are set annually and who are paid semi-monthly, and upon approval by the Governor, or upon its otherwise becoming a law.

HOUSE AMENDMENT TO S. B. 266

Amend Senate Bill 266 as substituted on page 3, line 36 by inserting the following new sentence after the word "service": "Length of state employment shall be determined from the State Personnel Department records, the State Retirement System records, or the State Comptroller payroll records."

HOUSE AMENDMENT TO S. B. 266

Amend Senate Bill 266 as Substituted on page 3, line 25 after the word "Alabama," by inserting the following:

"and all legislative personnel, officers or employees,"

HOUSE AMENDMENT TO S. B. 266

Amend Senate Bill 266 as Substituted on page 1, lines 10 and 21 by striking the word "the" and inserting in lieu thereof the word "each".

HOUSE AMENDMENT TO S. B. 266

In the synopsis and title, delete the sentence that reads: "This bill limits the merit increase that may be paid to certain state employees for the fiscal year beginning October 1, 1985."

In Section 1, on p. 2, beginning on line 9, delete the sentence that reads: "Any state employee or official, whether subject to the state merit system or not, who receives a pay increase under the provisions of this section shall not receive more than a one-step merit increase under the merit pay schedule for the fiscal year beginning October 1, 1985."

On p. 3, delete Section 5 in its entirety and renumber the remaining sections.

HOUSE AMENDMENT TO S. B. 266

On p. 1, delete Section 1 in its entirety and insert in lieu thereof the following:

Section 1. Beginning on October 1, 1985, all state employees who are listed in the classified and unclassified service of the state as defined in Section 36-26-10, Code of Alabama 1975, and all other state employees and hourly employees of this state, except those set out in Section 2 herein, and all legislative personnel, officers and employees, including but not limited to Legislative Reference Service personnel, whether subject to the state merit system or not, and all circuit clerks and registers and state judges, except as provided in Section 2 herein, and all employees of the county health departments who are employed subject to the state merit system and whose compensation is paid out of a budget provided and agreed upon by the state, county, or other contributing agency under the direction of the state board of health shall receive a 5% salary increase; provided that no state employee covered under the provisions of this section shall receive a salary increase greater than \$1,250. Any cost-of-living increase granted under the provisions of this Act shall in no way apply to any local supplement provided to any judges or any other employee of this state. All such increases shall be in addition to the salary received by such employees. It is the intention of the legislature that the Governor is hereby authorized to transfer such amounts to, from, and between such departments, boards, bureaus, commissions, agencies, offices, and institutions under his direct control for the purpose of paying the salary increase for state employees and officials.

HOUSE AMENDMENT TO S. B. 266

On p. 1, delete Section 1 in its entirety and insert in lieu thereof the following:

Section 1. Beginning on October 1, 1985, all state employees who are listed in the classified and unclassified service of the state as defined in

Section 36-26-10, Code of Alabama 1975, and all other state employees and hourly employees of this state, except those set out in Section 2 herein, and all legislative personnel, officers and employees, including but not limited to Legislative Reference Service personnel, whether subject to the state merit system or not, and all circuit clerks and registers and state judges, except as provided in Section 2 herein, and all employees of the county health departments who are employed subject to the state merit system and whose compensation is paid out of a budget provided and agreed upon by the state, county, or other contributing agency under the direction of the state board of health shall receive a \$1,000 pay raise. Any cost-of-living increase granted under the provisions of this Act shall in no way apply to any local supplement provided to any judge or any other employees of this state. All such increases shall be in addition to the salary received by such employees. It is the intention of the legislature that the Governor is hereby authorized to transfer such amounts to, from, and between such departments, boards, bureaus, commissions, agencies, offices, and institutions under his direct control for the purpose of paying the salary increase for state employees and officials.

Yeas 29; Nays 1; Abstaining 1.

Yeas:

Senators:	Bishop	Ellis	Langford	
Aldridge	Cooley	Figures	Menton	
Amari	Corbett	Foshee	Sanders	
Bailey	Covington	Hand	Smith (B)	
Barron	deGraffenried	Hilliard	Smith (J)	
Bedford	Denton	Holmes	Strong	
Bedsole	Dial	Horn	Teague	
Bennett	Drinkard			—29

Nay Senator Cabaniss —1

Abstaining Senator Little —1

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 235. RESOLVED BY THE SENATE That the following bill in the order named shall be the paramount and continuing order of business taking precedence over all other matters until disposed of:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 544	Incentive Pay Plan for Teachers	119

On motion of Senator Bishop, the Resolution was adopted by the Senate.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

REGULAR SESSION
25th Day

1357

S. B. 88	S. J. R. 205	S. J. R. 219
S. B. 107	S. J. R. 207	S. J. R. 220
S. B. 130	S. J. R. 209	S. J. R. 224
S. J. R. 194	S. J. R. 210	S. J. R. 228
S. J. R. 200	S. J. R. 211	S. J. R. 229
S. J. R. 201	S. J. R. 213	

Delivered to the Governor, May 1, 1985, at 4:50 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 8:45 P.M., on motion of Senator Bishop, the Senate adjourned until Thursday, May 2, 1985, at 10 o'clock A.M.

TWENTY-SIXTH LEGISLATIVE DAY

THURSDAY, MAY 2, 1985

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by the Reverend Brian H. Nicholson, Pastor, Oak Park Presbyterian Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Wanda van Houten, Lanier High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

JOURNAL

On motion of Senator Ellis, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fifth Legislative Day was approved by the Senate.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 64. To amend Section 40-23-7, Code of Alabama 1975, as last amended, relating to gross receipt sales tax payments, so as to revise the schedule of estimated sales tax payments and to phase out those payments required from certain persons on account of business activity; and to repeal Section 40-23-7(b), Code of Alabama 1975, as amended, relating to the advance payment of such tax; and to provide effective dates.

CHARLES BISHOP,
Chairperson.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 21. To amend section 12-17-213, Code of Alabama 1975, which section relates to minimum service time required to qualify for supernumerary district attorney status, so as to provide further for the said minimum service time requirements.

Also:

S. 35. To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician licensed to practice medicine, chiropractor, orthodontist, and podiatrist, as defined in this act, in the performance of his professional services from any city, county and state sales tax.

Also:

S. 112. Amending Sections 16-36-7 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

Also:

S. 450. To amend Sections 41-9-780, 41-9-781, 41-9-782, 41-9-783, 41-9-786, 41-9-787, Code of Alabama 1975, which creates the Tennessee Valley Authority Exhibit Commission of Alabama, so as to change the name of the Commission to the Tennessee Valley Exhibit Commission; to alter the composition of the Commission, and to provide further for the issuance of obligations.

Also:

S. 593. To provide further for the compensation of state appellate court judges; and to make the provisions of this act effective October 1, 1986.

Also:

S. 420. To amend Section 44-1-76, Code of Alabama, 1975, to change powers and duties of the youth services department district board of education.

Also:

S. 638. To provide for a state historic park and landmarks district in Mobile County to be known as "Africatown, U.S.A. State Historic Park and Landmarks District"; to provide for a public corporation for the purpose of developing, improving and maintaining such park and district; to prescribe the boundaries of such park and district and to authorize the Governor to enter into certain agreements with the progressive league for the development, supervision and maintenance of such park and district.

Also:

S. 559. To abolish any zoning law, ordinance or regulation which prohibits mentally ill persons from living in a natural residential environment zoned "multi family" which means duplex, triplex, four unit or larger as it appears in zoning laws or ordinances to include certain groupings of mentally ill persons.

CHARLES BISHOP,
Chairperson.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 660. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ohatchee in Calhoun County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Holmes, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 660, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 660

On page 8, after line 24, insert the following language as a new Section 2 and renumber the present Section 2 as Section 3:

Section 2. Any owner of property or any resident residing on property lying within the aforementioned legal description, may within 45 days after passage of this act file with the mayor and city clerk a written petition listing a legal description of the property owned or resided upon and that said property is excluded from the provisions of this act.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Mitchem
Aldridge	Dial	Holmes	Sanders
Barron	Dixon	Horn	Smith (B)
Bedford	Ellis	Langford	Smith (J)
Bedsole	Figures	Little	Strong
Bennett	Foshee	Menton	Teague
Cooley	Goodwin		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Goodwin requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Goodwin, B. I. R., H. B. 400, Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. Fuller and Laird (With Notice and Proof):

H. 1004. To alter or rearrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Chambers County, Alabama; and to provide for a referendum election on the provisions of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1004, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Browder (With Notice and Proof):

H. 1030. Relating to Calhoun County; to provide that at the May 14, 1985, general election the qualified electors of the county shall decide whether to keep its present three-member form of county commission or to adopt a different five-member form of county commission, beginning at the 1986 general election.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1030, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Venable and Mikell (With Notice and Proof):

H. 1040. Relating to Elmore County; authorizing the County Commission to provide clerical help for certain county officials; and repealing all conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1040, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Fuller, White (L), Reed, and Laird (With Notice and Proof):

H. 1041. Relating to the Fifth Judicial Circuit and expense allowances for each circuit judge; providing a formula for payment of such expense allowances from the general funds of the counties which compose the said circuit; providing the method of altering such allowances and a referendum thereon; specifically repealing Act No. 597, S. 815, Regular Session 1969 (Acts 1969, p. 1084), relating to such allowances, and all other conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1041, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1004, 1030, 1040, and 1041—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Spratt, Newton, Bachus, Rogers, Boles, Trammell, Davis, Gray, Escott, and Seibels (With Notice & Proof):

H. 479. Relating to Jefferson County; requiring the county commission to make certain office space provisions in the proposed new county criminal justice building for certain personnel in the sheriff's department.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 479, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 479—to the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Rep. Starr:

H. 102. To amend Section 11-45-8, Code of Alabama 1975, to include other like codes with those codes listed which may be adopted by ordinance and by reference under the authority and procedures of said section.

Also:

By Rep. Turner:

H. 674. To provide authority for the governing body of any Class 2 municipality covered by the Employees' Retirement System of Alabama, with the consent of the Board of the Employees' Retirement System of Alabama, to provide credit for the prior service of new employees to the extent of their prior service with public employers eligible for coverage under the Employees' Retirement System of Alabama, to provide for special membership service, to define prior service, to provide procedures and to prohibit discrimination in the application of the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 102—to the Committee on Judiciary

H. B. 674—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Harvey and Browder:

H. 59. To propose an amendment to the Constitution of Alabama 1901, to provide for the promotion of forest fire protection on forest lands within this state; to provide for the levying, collecting and distribution of assessments for costs; to provide for certain local laws heretofore enacted; to provide for similar local forest fire protection and assessment programs; upon ratification by the voters of this amendment; and to authorize the legislature to provide funds for the administration of such forest fire protection program.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 59—to the Committee on Agriculture, Conservation, and Forestry

(The above Bill, H. B. 59, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Pratt:

H. 2. To prohibit persons without a proper decal from parking a motor vehicle in certain handicapped parking places and to provide fines for violating the provisions of this act; and to provide that certain law enforcement officers may go onto private property to enforce the provisions of this act.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 2—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. Penry, McMillan, Harper, Kvalheim, Kennedy, Buskey (James), Zoghby, and Box:

H. 771. To regulate transient merchants, provide for licensing of said merchants and provide for penalties for violations.

Also:

By Reps. Martin, Drake, Smith, Bugg, Onderdonk, Parker, Tanner, Lauderdale, Biddle, Carter, Starkey, Moore, Clark (D), Goodwin, Albright, Grayson, Junkins, Newman, Clark (J), Richardson, Blake, Zoghby, Burke, Trammell, Boles, Escott, Gray, Spratt, White (G), Ford, Harvey, Bowling, White (L), Cosby, Johnson (Roy), Warren, Grouby, Carothers, Flowers, Beasley,

REGULAR SESSION
26th Day

1365

Hammett, Venable, Johnson (RG), Laird, Adams, Crow, Gaston, Browder, Kvalheim, Penry, Lindsey, Mathis, McMillan, Harper, Marietta, Turner, Blakeney, and Holley:

H. 942. To amend Sections 26-15-2, 26-15-3 and 26-16-2, Code of Alabama 1975, which relate to definitions of child abuse and neglect, and child abuse and neglect protection, so as to redefine the term "child abuse" to include specific designations of physical, mental, sexual and sexually exploitive abuse, and to provide further for the punishment of child abuse and child neglect, and to provide for mandatory jail incarceration under certain circumstances.

Also:

By Reps. Harvey and Browder:

H. 60. To provide protection against forest fires within the state; to assess a part of the cost thereof against forest lands in the state, and to prescribe the procedure for levying and collecting such assessments; and to provide that it shall become effective upon ratification of constitutional amendment authorizing its provisions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 771—to the Committee on Small Business

H. B. 942—to the Committee on Judiciary

H. B. 60—to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Rep. Johnson (Roy):

H. 304. To amend Section 6-8-64, Code of Alabama 1975, which relates to the cost of publishing legal advertising to allow weekly newspapers to charge their current published commercial classified advertising rate for legal notice advertising.

Also:

By Reps. Hooper, McKee, and Starr:

H. 456. To amend Section 17-5-12 of the Code of Alabama 1975, relating to places of voting so as to provide that the county commission may designate a place of holding elections other than the courthouse in the precinct in which the courthouse is situated.

Also:

By Reps. Junkins, Coleman, and Newman:

H. 489. To amend Sections 36-30-1 and 36-30-20, Code of Alabama 1975, which provide for compensation for death or disability of certain law enforcement personnel, and Section 36-21-8, Code of Alabama 1975, which provides for the retention of badges and pistols upon retirement by certain law enforcement personnel, so as to include officers of the Department of Industrial Relations within these provisions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 304—to the Committee on Judiciary

H. B.'s 456 and 489—to the Committee on Governmental Affairs

BUDGET ISOLATION RESOLUTIONS

Senator Bedsole requested and received permission to suspend the Rules in order that the following Resolutions might be offered:

Senator Drinkard, B. I. R., S. B. 702, Rules.

Also:

Senator Drinkard, B. I. R., S. B. 708, Rules.

Also:

Senator Drinkard, B. I. R., H. B. 214, Rules.

RESOLUTION

Senator Dial requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 236. REQUESTING AN ADVISORY OPINION OF THE JUSTICES RELATIVE TO H. B. 166, REGULAR SESSION 1985, RELATING TO RANDOLPH COUNTY AND THE UNIFIED SYSTEM FOR THE ASSESSMENT AND COLLECTION OF TAXES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions of the following important constitutional questions which have arisen concerning the pending H. B. 166, Regular Session 1985, relating to combining the offices of tax assessor and tax collector into the consolidated office of county revenue commissioner.

Copies of the said H. B. 166 as introduced, together with notice and proof, amendments, and of the enrolled bill, are attached to this resolution and made a part hereof by reference.

REGULAR SESSION
26th Day

1367

Although this bill has been delivered to the Governor, H. B. 166 still remains within the bosom of the Legislature and may be recalled at any time during this session.

The legislative history of H. B. 166 reflect the following:

Date	Leg. Day	Activity
2/05	01	Notice and Proof.
2/05	01	Read for the first time and referred to House committee on LOCAL LEGISLATION #1
2/12	03	Read for the second time and ordered placed on the calendar with one amendment
2/14	04	B.I Reso. (By Laird) Adopted. 58 Yeas, 0 Nays.
2/14	04	LOCAL LEGISLATION #1 committee amendment adopted. 55 Yeas, 0 Nays.
2/14	04	Laird amendment no. 1 adopted. 59 Yeas, 0 Nays.
2/14	04	Laird amendment no. 2 adopted. 50 Yeas, 0 Nays.
2/14	04	Read for the third time and passed as amended. 57 Yeas, 0 Nays. Sent to the Senate.
2/14	04	Engrossed.
2/20	05	Read for the first time and referred to Senate committee on LOCAL LEGISLATION #1.
4/24	22	Read for the second time and ordered placed on the Calendar.
4/25	23	B.I. Reso., (By Dial) Referred to Rules.
4/30	24	B.I. Reso., favorable from Rules. 7 Yeas, 0 Nays.
4/30	24	B.I. Reso., Adopted. 25 Yeas, 0 Nays.
4/30	24	Read for the third time and Passed. 25 Yeas, 0 Nays. Returned to House.
4/30	24	Signed by the Presiding Officer in the Senate.
4/30	24	Signed by the Speaker of the House.
4/30	24	Delivered to the Governor at 3:00 p.m.

At the same time the notice for this bill was advertised another notice ran relative to the same subject which was inconsistent with the notice for the said H. B. 166, and its provisions as passed.

Section 3 of the said H. B. 166 provides for the effective date of the new county revenue commissioner on October 1, 1985.

Section 9 in the original H. B. 166 provided for the effective date as October 1, 1985. This provision was deleted by House amendment on the fourth legislative day.

Section 13 of the original H. B. 166 provided for a referendum on the question and required a yes or no response without specifying the date.

Section 12, as amended, allows the voters to select the effective date for either October 1, 1985, or October 1, 1991.

1. Do the House amendments to H. B. 166 deleting Section 9 and adding the provisions to allow the voters to select their preference for an effective date, different than advertised, constitute a violation of Section 61 of the Constitution of 1901?

2. Did the advertising sufficiently and substantially meet the notice requirements of Section 106 of the Constitution of 1901, as amended?

3. Does Section 12 as advertised and then as enacted fail to meet the standards of Section 106 of the Constitution of 1901, as amended?

4. Does Section 12 contravene Section 212 of the Constitution of 1901?

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send sufficient copies of said pending H. B. 166, together with attachments, notice and proof, and the enrolled copy, to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this resolution.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

INTRODUCTION OF BILLS

Upon the call of districts, the bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Senator Drinkard (With Notice and Proof):

S. 721. Relating to Etowah County; to create a motor vehicle license and title division within the Tax Assessor's office for the issuance of motor vehicle licenses and titles; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicles licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of motor vehicle licenses and titles by the Tax Assessor's office; to transfer certain duties now performed by the Probate Judge and Tax Collector to said Tax Assessor, and to transfer certain duties now performed by the Probate Judge to the Tax Collector, and to provide for the compensation of the Tax Assessor.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 721, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bill has been placed at the end of the Regular Order Calendar, for today, to-wit:

REGULAR SESSION
26th Day

1369

By Senators Bedford, Bennett, Dixon, Little, Drinkard, Dial, Hand, Holmes, Bedsole, Cooley, Parsons, Aldridge, Cabaniss, Horn, Bailey, Covington, Amari, Corbett, Ellis, Denton, and Barron:

S. 325. To require public officers and employees and certain other persons who have any financial interest in any hazardous waste disposal site in the state of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this act.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator deGraffenried:

S. 578. To amend Section 41-1-6 of the Code of Alabama 1975, so as to increase the dollar value from \$100.00 to \$500.00 for nonconsumable personal property which has to be reported by the property manager of each department or agency of the state, and decreasing the frequency of the report from every six months to once every two years.

By Senators Menton, Goodwin, Smith (B), and Foshee:

S. 400. To amend further sections 40-23-4 and 40-23-62 of the Code of Alabama 1975, which provide for certain exemptions from sales and use taxes, so as to include certain materials, supplies and equipment used in offshore federal waters; and to provide for an effective date.

By Senators Bennett and Bedford (With Substitute):

S. 10. To appropriate a certain portion from the interest income derived from investment of certain oil lease revenues for the creation of an "Alabama Environmental Protection Superfund"; to provide that such fund shall be used for clean-up operations of certain toxic and hazardous waste sites; to provide that such fund shall be administered by the Alabama Department of Environmental Management; to direct said administration department to secure federal matching funds whenever possible and to provide for future appropriations for such superfund.

By Senator Bennett:

S. 380. To provide that support shall be ordered paid directly to the Department of Pensions and Security or its designee in any case where the Department has been subrogated to the rights of a child or other person to collect and receive support payments from the obligor, including but not necessarily limited to those instances in which the child or other person is receiving Aid to Dependent Children, Aid to Families with Dependent Children or has otherwise made application for collection services through the Department pursuant to Title IV-D of the Social Security Act and amendments thereto; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

By Senator Ellis:

S. 390. To grant to the Alabama Court of Civil Appeals the power to hire additional staff attorneys.

By Senator Ellis:

S. 389. To grant to the Alabama Court of Civil Appeals the power to administer oaths, take affidavits, or acknowledgements.

By Senators Cabaniss and Bedsole (With Substitute):

S. 242. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage or security and to provide criminal sanctions for violating the provisions of this Act.

By Senator Barron:

S. 248. To provide in addition to benefits now received, a fixed cost-of-living increase to all surviving beneficiaries of members of the Employees' Retirement System of Alabama who became eligible for such benefits prior to October 1, 1984, however, no survivor beneficiary of an employee under the Employees' Retirement System whose benefits are based primarily upon service as an employee of an employer participating under Section 36-27-6, Code of Alabama 1975, shall be entitled to receive said increase unless the employer by which he was employed elects to come under the provisions of this act; to provide that any person whose eligibility to receive Medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase; and to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama.

By Senators Foshee, Smith (J), Dixon, Holmes, and Barron (With Amendment):

S. 33. To amend Sections 34-9-1, 34-9-9, 34-9-11, 34-9-17, 34-9-18, 34-9-22, 34-9-25, 34-9-26, 34-9-27, 34-9-29, 34-9-41, and 34-9-43 of the Code of Alabama 1975, relating to dentists and dental hygienists, so as to regulate further the practice of dentistry and dental hygiene; to regulate further the Board of Dental Examiners; to regulate the administration of anesthesia by dentists; and to provide sanctions.

By Reps. White (L), Beasley, Butler, Mikell, and Johnson (RG):

H. 194. To amend Sections 34-23-30, 34-23-32, 34-23-50, and 34-23-52, Code of Alabama 1975, which provide license fees established by the board of pharmacy, so as to provide further for said fees.

By Rep. Clark (J):

H. 450. To amend H. 9, enacted as Act No. 85-125, enacted at the First Special Session of the 1985 Alabama Legislature, which amended various provisions of Chapter 2 of Title 14 of the Code of Alabama 1975 relating to the Alabama Corrections Institution Finance Authority, in order to authorize the Authority to sell its bonds by private sale; and to permit bonds of the Authority to be sold with a maximum term of 30 years.

By Reps. Clark (J), Harper, and Turner:

H. 344. To amend certain sections of Chapter 9, Article 11, of Title 41 of the Code of Alabama 1975 to provide that the executive committee of the commission may not be empowered to execute any contract for an amount in excess of \$100,000.00; to provide that the commission offer to its employees any benefits offered to employees of the state of Alabama; to

provide that the commission shall establish, operate and maintain a state memorial park to honor Alabamians who participated in all armed conflicts of the United States; and to provide that the \$50,000.00 outstanding indebtedness to the Alabama State Docks Department be forgiven.

By Senator Amari:

S. 503. To provide that the Probate Court shall have authority and the duty to appoint any suitable person or agency, public or private, including a private association or non-profit corporation as a guardian, for a developmentally disabled person.

By Senators Aldridge, Hilliard, Smith (J), Holmes, Bedsole, Parsons, Figures, Drinkard, Denton, Amari, Bennett, Bailey, deGraffenried, Covington, Foshee, and Cabaniss:

S. 26. To amend Section 22-2-4 and Section 22-2-10, Code of Alabama 1975, so as to provide for the payment of per diem, subsistence, and mileage to the members of the State Committee of Public Health.

By Senator Aldridge:

S. 374. To amend §11-94-15 of the Code of Alabama 1975, as amended, so as to authorize any county or municipality of the State of Alabama and any other political subdivision, public corporation, agency or instrumentality of said State of Alabama or of any such county or municipality (1) to lend or donate money or perform services for the benefit of any public corporation organized pursuant to the provisions of Chapter 94 of Title 11 of the Code of Alabama 1975, as amended, (2) without the necessity of an election, to donate, sell, convey, transfer, lease or grant to any such public corporation any property of any kind, and (3) to do any and all things not prohibited by said Chapter 94 or otherwise by law that are necessary or convenient to aid and cooperate with any such public corporation.

By Senator Aldridge (Constitutional Amendment):

S. 473. Proposing an amendment to the Constitution of Alabama, 1901, relating to school district tax for the City of Hartselle, Morgan County, which shall become valid as a part of the Constitution when all requirements of Amendment 425 of the Constitution of Alabama of 1901 are fulfilled.

SPECIAL ORDER

BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

H. 544. Providing for the development and establishment of an incentive-based pay plan for the teachers of the public schools of Alabama; provides career incentives for public school teachers; initiating a program of performance appraisal; establishing salary progressions for education personnel; and providing for the implementation of this act.

said Special Order having been set out in the Journal of the Senate for the Twenty-Fifth Legislative Day.

Senator Bedsole offered the following substitute for the Bill, H. B. 544, to-wit:

SUBSTITUTE FOR H. B. 544

**A BILL
TO BE ENTITLED
AN ACT**

To provide for the establishment and development of a performance-based incentive program for teachers in the public schools of Alabama; to provide for a career ladder of five positions; to provide evaluation procedures for teachers; and to provide salary supplements to teachers based on their career ladder classification.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the "Alabama Public Schools' Teacher Incentive Program Act."

Section 2. For purposes of this act, the following terms shall have the respective meanings ascribed to them by this section:

(1) **ADJUSTMENT PROCESS.** The method used to resolve differences that may arise during the first three steps of the improvement and evaluation process between evaluatee and evaluator.

(2) **ADJUSTMENT REVIEW PROCESS.** A structured procedure to review summative assessment of performance with which the evaluatee disagrees.

(3) **ASSESSMENT SYMBOLS.** The following designations used to indicate levels of effectiveness in attaining performance standards:

a. **HE—Highly Effective.** Performance that merits commendation because it exceeds normal expectations required in the job and attains a quality level regarded as being exemplary in all respects.

b. **S—Satisfactory.** Performance that meets normal requirements of the job in a quite effective manner.

c. **NI—Needs Improvement.** Performance that is acceptable, but there are areas that will require improvement if a higher rating is to be attained.

d. **U—Unsatisfactory.** Performance that, over time, has remained significantly deficient and, despite appropriate assistance and supervision, has continued to be deficient, so that the chances for satisfactory service to be achieved are unlikely.

(4) **CONTINUOUS IMPROVEMENT.** The phase of the teacher incentive program designed to enable evaluatees to increase their effectiveness.

(5) **CONTRIBUTOR.** A person who provides general or specialized assistance for either or both the evaluatee or evaluator.

(6) **DESCRIPTOR.** The component of performance standards, provided to describe and clarify the meaning of the standard.

(7) **ELIGIBILITY DATE.** The eligibility date for movement in the teacher incentive program which will be July 1 of each year.

(8) **EVALUATEE.** A person being evaluated.

(9) **EVALUATION.** The phase of the teacher incentive program that provides for the assessment of the effectiveness of the evaluatee.

(10) **EVALUATION TASK FORCE.** The teacher incentive program evaluation task force.

(11) **EVALUATOR.** An administrator, teacher, or other individual who has successfully completed training in the use of an approved performance evaluation system for the teacher incentive program and whose name is included on the appropriate list of observers.

(12) **IDENTIFY NEEDS.** The initial step in the process during which the teacher's status of current performance is determined.

(13) **INDIVIDUAL DEVELOPMENT PLAN.** The form prescribed in section 11(a) (14) of this act which shall be used to show the teacher's individual prescription and the implementation activities for carrying out the plan.

(14) **INFIELD DEGREE.** A degree in a single subject or field with emphasis or specialization in a specific teaching field or service area.

(15) **LOCAL SCHOOL BOARD OR SYSTEM.** Any city or county board of education.

(16) **OBSERVATION.** Classroom visitations and/or other work station contacts wherein the individual's work is observed by the principal or other designated person(s).

a. **Formal Observation.** A thirty minutes or longer observation in the preparation of the observation report prescribed in section 11(a)(5) of this act.

b. **Informal Observation.** An observation of any duration in which no observation report is prepared.

(17) **OBSERVATION REPORT.** The form prescribed in section 11(a)(5) of this act which shall be used to record observation information and recommendations of the observer.

(18) **PARTICIPANT.** An individual who is employed in an instructional personnel position in the public school system and who has been accepted into and wishes to continue in the teacher incentive program.

(19) **PERFORMANCE.** The carrying out of certain tasks and activities as prescribed to the various classifications of educational employees.

(20) **PERFORMANCE STANDARDS.** Major areas of responsibility, with descriptors under each, used to define the scope of the teacher's job.

(21) **PRESCRIPTION FOR REMEDIATION.** The explicit actions listed on the professional development plan which the principal prescribes to correct indicated deficiencies of the teacher.

(22) **PROFESSIONAL DEVELOPMENT PLAN.** Specific activities to promote further professional development for teachers.

(23) **REGULAR CONTRACT.** A contract for a period during which elementary or secondary schools are regularly in session for the minimum number of required days of instruction for pupils.

(24) **STANDARD.** A major area of responsibility.

(25) **SUMMATIVE EVALUATION REPORT.** The form prescribed in section 11(a)(24) which shall be used to assess overall effectiveness at the close of the year.

(26) **TEACHING DUTIES.** The instructional assignment or assignments of an individual for a school fiscal year.

(27) **TEACHING EXPERIENCE.** Employment in an instructional personnel position. The teaching experience shall be completed in a public or nonpublic elementary or secondary school which is operated by a public school district. Teaching experience in a nonpublic school shall be acceptable provided the candidate held a full-time certificate issued by the State Department of Education where the experience was completed and the certificate was valid when the teaching experience was acquired.

Section 3. The Alabama public schools' teacher incentive program will consist of a career ladder which provides for five positions to include the following:

(1) **TEACHER CANDIDATE.** To qualify for this position, the individual shall establish eligibility by:

- a. Maintaining a valid Alabama teacher's certificate;
- b. Being employed by the local school system under a regular contract for the ensuing school year.

(2) **ASSOCIATE TEACHER.** To qualify for this position, the individual shall establish eligibility by:

- a. Maintaining a valid Alabama teacher's certificate;
- b. Being employed by the local school system under a regular contract for the ensuing school year;
- c. Achieving tenure;
- d. Attaining three years' teaching experience;
- e. Completing a professional development plan as specified in section 11(a)(14) of this act;
- f. Holding an infield degree in the subject, field, or service area where the majority of the participant's teaching duties have occurred during the previous three years. A participant's degree shall not be subject to the requirements of this plan if:

1. The participant is assigned involuntarily to teaching duties which constitute a majority in a subject, field, or service area other than the degree major if documentation of such involuntary assignment can be provided to the screening committee; or

2. If the participant was employed prior to the adoption of this plan.

(3) **STAFF TEACHER.** To qualify for this position, the individual shall establish eligibility by:

- a. Maintaining a valid Alabama teacher's certificate;
- b. Being employed by the local school system under a regular contract for the ensuing school year;
- c. Attaining at least five years' experience;

d. Attaining 85 percent of the maximum weighted score on the summative evaluation as prescribed in section 11(a)(24) over the previous three years; or attaining 93 percent of the maximum weighted score on the summative evaluation over the previous two years;

e. Achieving at least 70 percent of the maximum score on a writing exercise as provided in section 12 of this act;

f. Completing a professional development plan as specified in section 11(a)(14) of this act;

g. Holding an infield degree in the subject, field or service area where the majority of the participant's teaching duties have occurred during the previous three years. A participant's degree shall not be subject to the requirements of this plan if:

1. The participant is assigned involuntarily to teaching duties which constitute a majority in a subject, field, or service area other than the degree major if documentation of such involuntary assignment can be provided to the screening committee; or

2. If the participant was employed prior to the adoption of this plan.

Upon meeting these qualifications, participants who wish to be considered for a change in status to staff teacher shall accomplish the following:

- (i) Apply to the chairperson of the screening committee for staff teacher status one year prior to date of eligibility;

- (ii) Complete the screening process.

(4) SENIOR TEACHER. To qualify for this position, the individual shall establish eligibility by:

- a. Maintaining a valid Alabama teacher's certificate;

- b. Being employed by the local school system under a regular contract for the ensuing school year;

- c. Attaining at least eight years' experience;

- d. Attaining 93 percent of the maximum weighted score on the summative evaluation as prescribed in section 11(a)(24) over the previous four years; or attaining 96 percent of the maximum weighted score on the summative evaluation over the previous three years;

- e. Completing a professional development plan as specified in section 11(a)(14) of this act;

- f. Holding an infield master's degree in the subject, field or service area where the majority of the candidate's teaching duties have occurred during the previous three years. A participant's master's degree shall not be subject to this requirement if:

1. The participant is assigned involuntarily to teaching duties which constitute a majority in a subject, field, or service area other than the master's degree if documentation of such involuntary assignment can be provided to the screening committee; or

2. If participant was employed prior to the adoption of this plan.

Upon meeting these qualifications, participants who wish to be considered for a change in status to senior teacher shall accomplish the following:

(i) Apply to the chairperson of the screening committee for senior teacher status one year prior to date of eligibility;

(ii) Submit to the chairperson of the screening committee, one year prior to date of eligibility, a portfolio which shall include, but not be limited to, the following:

aa. A series of lesson plans, prepared by the applicant, sufficient to encompass ten instructional hours in one subject or grade;

bb. Copies of the applicant's summative evaluations from the previous four years;

cc. Evidence of the applicant's classroom organization and management procedures;

dd. Evidence of communication between the applicant and parents, students, peers, and administration;

(iii) Complete the screening process;

(iv) Complete the evaluation process conducted by the evaluation task force.

(5) MASTER TEACHER. To qualify for this position, the individual shall establish eligibility by:

a. Maintaining a valid Alabama teacher's certificate;

b. Being employed by the public schools under a regular contract for the ensuing school year;

c. Attaining at least ten years' experience;

d. Attaining 94 percent of the maximum weighted score on the summative evaluation over the previous three years; or attaining 97 percent of the maximum weighted score on the summative evaluation over the previous two years;

e. Completing a professional development plan as specified in section 11(a)(14) of this act;

f. Holding an infield master's degree in the subject, field or service area where the majority of the candidate's teaching duties have occurred during the previous three years; (Participant's master's degree shall not be subject to this requirement if the participant is assigned involuntarily to teaching duties which constitute a majority in a subject, field, or service area other than the master's degree major if documentation of such involuntary assignment can be provided to the screening committee or if the participant was employed prior to the adoption of this plan.)

Upon meeting these qualifications, participants who wish to be considered for a change in status to master teacher shall accomplish the following:

(i) Apply to the chairperson of the screening committee for master teacher status one year prior to date of eligibility;

REGULAR SESSION
26th Day

1377

(ii) Submit to the chairperson of the screening committee one year prior to date of eligibility, a portfolio which shall include, but not be limited to, the following:

aa. A series of lesson plans, prepared by the applicant, sufficient to encompass ten instructional hours in one subject or grade;

bb. Copies of the applicant's summative evaluations from the previous three years;

cc. Evidence of the applicant's classroom organization and management procedures;

dd. Evidence of communication between the applicant and parents, students, peers, and administration.

(iii) Complete the screening process;

(iv) Complete the evaluation process.

Section 4. Instructional staff members who were employed prior to the adoption of the teacher incentive program shall have the option of participating.

The positions of associate teacher and staff teacher are the designated entry points for those current instructional staff members who elect to participate. All participants from the current instructional staff may enter at either of these two levels based upon the position requirements and the participants' qualifications.

Section 5. All instructional staff personnel employed by the local school system after the adoption of this program will enter the career ladder at the teacher candidate level except for those employees who have previous experience in other school systems. Those employees with previous experience may enter the career ladder at either the associate teacher or staff teacher level provided they meet all applicable qualifications except the tenured status requirement. No employee, regardless of previous experience, will progress beyond the staff teacher level without tenured teacher status.

Section 6. Each local board of education shall appoint an elementary screening committee and a secondary screening committee, to be comprised of seven members each, including four classroom teachers, one instructional specialist, one principal, and one program administrator who will serve as the permanent chairperson of both committees. Two members shall be designated to serve one-year terms, two shall serve for two years, and two shall be appointed for a three-year term.

Section 7. Teacher candidates shall achieve associate teacher status upon notification of tenure and no application will be required for this change in status. Movement from any other level will require that application for a change in status be forwarded by the participant to the teacher incentive program screening committee. A copy of this application shall be submitted to the principal.

Section 8. Applications for a change in status must be received one year prior to date of eligibility. Upon receipt of the application, the screening committee shall complete the following procedures:

(1) Verify the information contained in the application;

(2) Determine the participant's eligibility for a status change;

(3) Schedule, conduct, and receive the results of the required writing exercise for participants applying for staff teacher status;

(4) Screen the portfolio submitted by each participant seeking a change in status to either senior or master teacher and forward it to the evaluation task force;

(5) Receive the results of the evaluation process from the principal and/or the evaluation task force;

(6) Make final recommendation for status change to the superintendent.

Section 9. There shall be established a continuous improvement and evaluation plan for classroom teachers which plan should provide for a thorough and reliable evaluation of teaching proficiency and professional conduct.

The overall purpose of such evaluation process shall be:

(1) To encourage professional growth and increased competency among all teaching personnel;

(2) To provide information needed to accomplish the following:

a. Screen and select individuals for promotion, advancement, or special assignment;

b. Monitor individual teacher's needs for improvement;

c. Allocate supervisory and resource personnel to assist teachers in the development of professional competencies;

d. Provide career counseling for teachers;

e. Support administrative recommendations of nonrenewal of contract or dismissal during contract year in accordance with state law.

Section 10. Using the descriptors and sources of information detailed on the following data source checklist, all teacher candidates, associate teachers and staff teachers (except those staff teacher applicants who have applied for a change in status to senior teacher) shall be evaluated.

DATA SOURCE CHECKLIST

AREA I—TEACHING AND/OR JOB PERFORMANCE

100—Teaches to specific stated objectives

101—Teaches toward specific unit objectives set forth in local guides and state course of study

102—Demonstrates a knowledge of the domain concept by implementing appropriate learning activities in keeping with student skills and understandings in the cognitive, affective, and psychomotor domains

103—Demonstrates an understanding of diagnostic prescriptive teaching by teaching toward objectives which are appropriate to student abilities, achievement levels, and learning styles

200—Uses appropriate principles of learning and teaching methods which promote learning

201—Utilizes appropriate principles of learning which affect motivation

202—Utilizes appropriate principles of learning which affect rate and degree of learning

203—Utilizes appropriate principles of learning which affect retention

204—Utilizes appropriate principles of learning which affect transfer

205—Uses appropriate methodology

206—Uses a variety of approaches and strategies, and different levels of materials

207—Involves students in total class activities as well as in small groups according to levels of learning

208—Clearly states assignments that are relevant to student needs and abilities

300—Uses appropriate methods to evaluate learning activities and teaching strategies

400—Provides evidence of achievement of desired learning objectives by use of evaluation instruments which indicate at least minimum level skills

500—Uses school time effectively

501—Attends regularly and is punctual

502—Makes effective use of planning period, if provided

503—Uses classroom time to the maximum level

504—Guides or encourages students to use classroom time to the maximum level

505—Utilizes time wisely in moving from group to group, from class to class, and in all school activities

506—Assumes responsibility for encouraging student attendance and promptness in all related school activities

600—Maintains good classroom management/discipline

601—Shows consistency and fairness in dealing with all students

602—Organizes the physical setting and provides a classroom environment conducive to student learning

603—Establishes procedures for the arrival and departure of students, for automatic and orderly conduct during fire, tornado, and hurricane drills, and for other routines

604—Establishes and clearly communicates parameters for student classroom behavior

605—Assists students toward self-discipline and acceptable standards of behavior

606—Makes appropriate use of support personnel, e.g., counselors, social workers, nurses, therapists

607—Manages discipline problems in accordance with administrative regulations, school board policies, and legal requirements

AREA II—PROFESSIONAL COMPETENCIES AND QUALITIES

700—Scholarship

701—Demonstrates a comprehensive knowledge of one or more specific areas and a broad knowledge of the total program

702—Cooperatively works in studying and improving factors which affect child growth and development

703—Engages in workshops, seminars, local school in-service programs, and informal study to strengthen competencies in needed areas

704—Actively and enthusiastically promotes pilot and/or experimental programs

705—Seeks other professional assistance in the area of student, teacher or principal needs

706—Demonstrates imagination, creativity, and resourcefulness

707—Vocally expresses ideas clearly and in grammatically correct form

708—Articulates and enunciates in an acceptable manner

709—Demonstrates ability to express ideas in writing, using a grammatically correct form

800—Leadership and initiative

801—Makes decisions and accepts responsibility

802—Actively pursues support for implementation of strategies, ideas, and programs thought to be of worth to the system

803—Conscientiously engages in the development of new programs, procedures, and materials

900—Organization

901—Plans and conducts activities in an organized manner

902—Develops plans and procedures for maintaining a productive classroom environment for the using of and caring for materials and for conducting academic activities

903—Keeps planning, evaluation, and administrative records in accordance with approved policies and procedures

1000—Records and reports

1001—Maintains and submits accurate reports on schedule

1002—Maintains accurate, objective, and confidential reports on assigned students/teachers, school, etc.

AREA III—INTERPERSONAL RELATIONSHIPS

1100—Works cooperatively and enthusiastically with students and school personnel in an environment of kindness, warmth, and acceptance, and in a framework of firmness and expectancy

1101—Gives leadership to the total program in an area of responsibility

1102—Makes concessions in area of responsibility for the good of the total program

1103—Plans cooperatively with leadership in other areas of responsibility

1104—Recognizes worth of all individuals in a leadership capacity and seeks to upgrade instruction by building self-concept

1105—Takes a stand on issues when the decision might be unpopular

1106—Faces issues on a one-to-one basis rather than with the total group when the problem can be identified on an individual basis

1107—Seeks to upgrade all individuals by conveying a belief in the ability of all

1108—Praises in general and particular people whose performance has been outstanding

1109—Reinforces behavior when progress has been made though progress is less than expected

1110—Seeks to change behavior by first gaining the confidence of the individual or group

1111—Shows genuine respect, concern, and warmth toward professionals and nonprofessionals

1112—Delegates authority to various people

1113—Meets frustration without becoming hostile or losing control of emotions

1114—Shares materials and equipment

1115—Actively works to keep channels of communications open so that people feel free to seek help

1200—Relationships with parents, civic and service organizations, other educational institutions and the general public are characterized by respect, openness, friendliness, and professional ethics

1201—Works cooperatively with parents

1202—Works cooperatively with local colleges and universities to further the aims of public education

1203—Seeks to strengthen a constructive relationship between the school and the total community

1204—Positively interprets the school programs and policies to the community

AREA IV—PERSONAL QUALITIES

1300—Physical appearance and activity

1301—Has good posture, grooming, appropriate dress, and cheerful disposition

1302—Demonstrates physical and emotional fitness appropriate to assignment and age

1303—Manifests reasonably high degree of energy in the teaching act or other assigned tasks

1400—Citizenship

1401—Exemplifies dedication to the democratic process, reflecting belief that only through learning can democracy remain strong

1402—Exemplifies love and respect for country and flag

1403—Exemplifies political awareness

1404—Exemplifies citizenship responsibilities such as voting, the protection of environment, etc.

1500—Professional ethics

1501—Demonstrates a positive belief in the purposes of public education

1502—Keeps in confidence information obtained in the course of daily activities

1503—Works through channels to solve problems and promote instructional and staff development

1504—Considers education a profession and works to improve it

1505—Carries out school policies professionally

1506—Shows loyalty and respect to those in authority, co-workers, and the profession in general

Section 11. (a) All teacher candidates, associate teachers and staff teachers (except those staff teacher applicants who have applied for a change in status to senior teacher) shall be evaluated according to the Data Source Checklist set forth in section 10 hereof and shall be further evaluated according to the following steps:

(1) The principal and/or contributor shall make at least one formal observation before preparation of the professional development plan. If any deficiencies are noted, at least two other formal observations are made before the completion of the plan.

(2) No formal observations shall be made during the first weeks of school.

(3) Informal observations may occur at any time.

(4) Formal observations may occur at any time deemed necessary, but observations should be no less than 30 minutes in length.

(5) An observation report in the following form shall be completed for each formal observation:

OBSERVATION REPORT

PERSON

OBSERVED: _____ SCHOOL: _____ SUBJECT/GRADE: _____

CLASSROOM: ____Standard ____Portable DATE: _____ TIME: From To
____Floating ____Other LEVEL: _____ CLASS SIZE _____

DIRECTIONS: Performance standards most directly involved in the teaching process are listed below. These are standards that are evaluated primarily

REGULAR SESSION
26th Day

1383

through classroom observations. The space to the right of the standards is provided for note taking during the observation. If areas needing improvement are identified, encircle the standard number and complete the bottom section of the form.

AREA I - TEACHING AND/OR JOB PERFORMANCE

- 100 - Teaches to specific stated objectives
- 200 - Uses appropriate principles of learning and teaching methods which promote learning
- 300 - Uses appropriate methods to evaluate learning activities and teaching strategies
- 400 - Provides evidence of achievement of desired learning objectives
- 500 - Uses school time effectively
- 600 - Maintains good classroom management/discipline

COMMENTS:

STATEMENT OF NEED:

SUGGESTED STRATEGY FOR IMPROVEMENT:

EVALUATIVE CRITERIA:

CONFERENCE HELD INVOLVING:

TEACHER_____; PRINCIPAL_____; CONTRIBUTOR____

SIGNATURE OF PRINCIPAL/CONTRIBUTOR:_____

Copies: White-Evalutee Pink-Principal Yellow-Contributor

(6) Observation reports are used to identify both strengths and weaknesses.

(7) Supplementary notes, memoranda, and other supporting documents used in observations are attached to the observation report set out in subdivision (5) hereinabove.

(8) Observation reports do not become part of the teacher's permanent personnel file unless termination is recommended.

(9) Areas not included on the observation report in subdivision (5) are documented through the use of memoranda or other forms of written communication. These are shared with the teacher.

(10) On or before the announced date (the end of the ninth week of school, unless otherwise indicated), a professional development plan is completed for each evaluatee.

(11) Using the performance standards for teachers as set forth in this subdivision the principal, or his designee, reviews the teacher's performance in all areas. If there are identified deficiencies, as supported by observation reports and/or other means of documentation, the number preceding the performance standard is encircled. If no deficiencies have been identified, the standard numbers remain unmarked.

PERFORMANCE STANDARDS FOR TEACHERS

Maximum Weighted Score

AREA I - TEACHING AND/OR PERFORMANCE

- 9.0 100 - Teaches to specific stated objectives
- 3.0 101 - Teaches toward specific unit objectives set forth in local guides and state course of study
- 3.0 102 - Demonstrates a knowledge of the domain concept by implementing appropriate learning activities in keeping with student skills and understandings in the cognitive, affective, and psychomotor domains
- 3.0 103 - Demonstrates an understanding of diagnostic prescriptive teaching by teaching toward objectives which are appropriate to student abilities, achievement levels, and learning styles
- 19.0 200 - Uses appropriate principles of learning and teaching methods which promote learning
- 3.0 201 - Utilizes appropriate principles of learning which affect motivation
- 2.0 202 - Utilizes appropriate principles of learning which affect rate and degree of learning
- 2.0 203 - Utilizes appropriate principles of learning which affect retention
- 2.0 204 - Utilizes appropriate principles of learning which affect transfer
- 3.0 205 - Uses appropriate methodology
- 3.0 206 - Uses a variety of approaches and strategies and different levels of materials
- 2.0 207 - Involves students in total class activities as well as in small groups according to levels of learning
- 2.0 208 - Clearly states assignments that are relevant to student needs and abilities
- 6.0 300 - Uses appropriate methods to evaluate learning activities and teaching strategies
- 3.0 301 - Continuously monitors student behavior for indications that students are mastering each learning increment

REGULAR SESSION
26th Day

1385

- 3.0 302 - Makes necessary adjustments in teaching activities and strategies to assure student learning
- 5.0 400 - Provides evidence of achievement of desired learning objectives
- 2.5 401 - Includes evaluation procedures in lesson planning
- 2.5 402 - Cooperates in administration of system-adopted testing programs
- 403 - Other (specify)
- 13.0 500 - Uses school time effectively
- 2.0 501 - Attends regularly and is punctual
- 2.0 502 - Makes effective use of planning period, if provided
- 3.0 503 - Uses classroom time to the maximum level
- 2.0 504 - Guides or encourages students to use classroom time to the maximum level
- 2.0 505 - Utilizes time wisely in moving from group to group, from class to class, and in all school activities
- 2.0 506 - Assume responsibility for encouraging student attendance and promptness in all related school activities
- 15.0 600 - Maintains good classroom management/discipline
- 2.0 601 - Shows consistency and fairness in dealing with all students
- 3.0 602 - Organizes the physical setting and provides a classroom environment conducive to student learning
- 2.0 603 - Establishes procedures for the arrival and departure of students, for automatic and orderly conduct during fire, tornado, and hurricane drills, and for other routines
- 2.0 604 - Establishes and clearly communicates parameters for student classroom behavior
- 2.0 605 - Assists students toward self-discipline and acceptable standards of behavior
- 2.0 606 - Makes appropriate use of support personnel, e.g., counselors, social workers, nurses, therapists
- 2.0 607 - Manages discipline problems in accordance with administrative regulations, school board policies, and legal requirements

TOTAL: 67.0

AREA II - PROFESSIONAL COMPETENCIES AND QUALITIES

- 5.0 700 - Scholarship
- .5 701 - Demonstrates a comprehensive knowledge of one or more specific areas and a broad knowledge of the total program

.5	.....	702	- Cooperatively works in studying and improving factors which affect child growth and development
.5	.....	703	- Engages in workshops, seminars, local school in-service programs, and informal study to strengthen competencies in needed areas
.5	.....	704	- Actively and enthusiastically promotes pilot and/or experimental programs
.5	.....	705	- Seeks other professional assistance in the area of student, teacher, or principal needs
.5	.....	706	- Demonstrates imagination, creativity, and resourcefulness
.5	.....	707	- Vocally expresses ideas clearly and in grammatically correct form
.5	.....	708	- Articulates and enunciates in an acceptable manner
1.0	.....	709	- Demonstrates ability to express ideas in writing, using a grammatically correct form
3.0	.....	800	- Leadership and initiative
1.0	.....	801	- Makes decisions and accepts responsibility
1.0	.....	802	- Actively pursues support for implementation of strategies, ideas, and programs thought to be of worth to the system
1.0	.....	803	- Conscientiously engages in the development of new programs, procedures, and materials
4.0	.....	900	- Organization
1.0	.....	901	- Plans and conducts activities in an organized manner
1.0	.....	902	- Develops plans and procedures for maintaining a productive classroom environment, for the using of and caring for materials, and for conducting academic activities
2.0	.....	903	- Keeps planning, evaluation, and administrative records in accordance with approved policies and procedures
3.0	.....	1000	- Records and reports
1.5	.....	1001	- Maintains and submits accurate reports on schedule
1.5	.....	1002	- Maintains accurate, objective, and confidential reports on assigned students/teachers, school, etc.
TOTAL		15.0	

AREA III - INTERPERSONAL RELATIONSHIPS

6.0	.....	1100	- Works cooperatively and enthusiastically with students and school personnel in an environment of kindness, warmth, and acceptance, and in a framework of firmness and expectancy
.4	.....	1101	- Gives leadership to the total program in area of responsibility
.4	.....	1102	- Makes concessions in area of responsibility for the good of the total program

**REGULAR SESSION
26th Day**

1387

- .4 1103 - Plans cooperatively with leadership in other areas of responsibility
- .4 1104 - Recognizes worth of all individuals in a leadership capacity and seeks to upgrade instruction by building self-concept
- .4 1105 - Takes a stand on issues when the decision might be unpopular
- .4 1106 - Faces issues on a one-to-one basis rather than with the total group when the problem can be identified on an individual basis
- .4 1107 - Seeks to upgrade all individuals by conveying a belief in the ability of all
- .4 1108 - Praises, in general and particular, people whose performance has been outstanding
- .4 1109 - Reinforces behavior when progress has been made, though progress is less than expected
- .4 1110 - Seeks to change behavior by first gaining the confidence of the individual or group
- .4 1111 - Shows genuine respect, concern, and warmth toward professionals and nonprofessionals
- .4 1112 - Delegates authority to various people
- .4 1113 - Meets frustration without becoming hostile or losing control of emotions
- .4 1114 - Shares materials and equipment
- .4 1115 - Actively works to keep channels of communication open so that people feel free to seek help
- 4.0 1200 - Relationships with parents, civic and service organizations, other educational institutions and the general public are characterized by respect, openness, friendliness, and professional ethics
- 1.0 1201 - Works cooperatively with parents
- 1.0 1202 - Works cooperatively with local colleges and universities to further the aims of public education
- 1.0 1203 - Seeks to strengthen a constructive relationship between the school and the total community
- 1.0 1204 - Positively interprets the school programs and policies to the community

TOTAL 10

AREA IV - PERSONAL QUALITIES

- 3.0 1300 - Physical appearance and activity
- 1.0 1301 - Has good posture, grooming, appropriate dress, and cheerful disposition
- 1.0 1302 - Demonstrates physical and emotional fitness appropriate to assignment and age

- 1.0 1303 - Manifests reasonably high degree of energy in the teaching act or other assigned tasks
- 2.0 1400 - Citizenship
- .5 1401 - Teaches dedication to the democratic process, reflecting belief that only through learning can democracy remain strong
- .5 1402 - Teaches love and respect for country and flag
- .5 1403 - Teaches political awareness
- .5 1404 - Teaches citizenship responsibilities such as voting, the protection of environment, etc.
- 3.0 1500 - Professional Ethics
- .5 1501 - Demonstrates a positive belief in the purposes of public education
- .5 1502 - Keeps in confidence information obtained in the course of daily activities
- .5 1503 - Works through channels to solve problems and promote instructional and staff improvement
- .5 1504 - Considers education a profession and works to improve it
- .5 1505 - Carries out school policies professionally
- .5 1506 - Shows loyalty and respect to those in authority, co-workers, and in the profession in general

TOTAL 8

SIGNATURES: (Signature does not necessarily indicate agreement; rather that the process was carried out.)

EVALUATOR: _____ DATE: _____

EVALUATEE: _____ DATE: _____

(12) The evaluator and the evaluatee sign the performance standards.

(13) The performance standards to be addressed in the professional development plan are identified. Growth activities, along with sources of assistance and expected date of completion, are determined in conference.

(14) The following individual professional development plan is completed and the performance standards are attached:

INDIVIDUAL PROFESSIONAL DEVELOPMENT PLAN

School Year _____

EVALUATEE: _____ POSITION _____ SCHOOL _____

EVALUATOR: _____ POSITION _____

REGULAR SESSION
26th Day

1389

Performance Standards and Descriptors	Activities	Source of Assistance	Estimated Date of Completion
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COMMENTS: (Evaluatee)

COMMENTS: (Evaluator)

SIGNATURES:

Evaluatee _____ Evaluator _____

Copies:

White-Evaluatee, Pink-Evaluator, Yellow-Personnel Office

(15) The evaluator and the evaluatee sign the Individual Professional Development Plan set forth in subdivision (14).

(16) If a disagreement occurs, either the teacher or the principal may select one or more contributors to conduct an observation of the teacher. If the disagreement persists, an adjustment process is instituted.

(17) The professional development plan is determined by the evaluatee's needs and the prescribed remediation. Growth activities may include, but not be limited to, the viewing of teaching demonstrations, participation in staff development workshops, individual conferences with resource persons, and independent study.

(18) The implementation of the professional development plan is the responsibility of the evaluatee.

(19) Both formal and informal observations may be conducted during the implementation period.

(20) The evaluator, the contributor, and the evaluatee confer to assess the extent to which the professional development plan was achieved.

(21) The evaluatee is given an opportunity to indicate his/her assessment of the extent to which the professional development plan was achieved and to cite specific areas (if any) where assistance was inadequate in kind and amount.

(22) Comments of either party may be recorded in the "comments" section of the individual professional development plan section and/or on a memorandum or other form of written communication.

(23) Prior to the date set by the personnel office, the evaluator makes the final observation of the teacher to assess overall performance.

(24) The following summative evaluation form is completed by the principal:

SUMMATIVE EVALUATION
TEACHER INCENTIVE PROGRAM

EVALUATEE: _____ POSITION: _____ SCHOOL: _____

EVALUATOR: _____ POSITION: _____

DIRECTIONS: This form is to be used for the Summative Evaluation. Column I lists fifteen (15) performance standards on which performance is rated. Using the Summative Evaluation Key, score the evaluatee under the appropriate evaluation symbol below Column II.

EVALUATION SYMBOLS: HE - Highly effective S - Satisfactory
NI - Needs Improvement U - Unsatisfactory

COLUMN I - PERFORMANCE STANDARDS

COLUMN II

HE S NI U

AREA I - TEACHING AND/OR JOB PERFORMANCE

100 - Teaches to specific stated objectives

200 - Uses appropriate principles of learning and teaching methods which promote learning

300 - Uses appropriate methods to evaluate learning activities and teaching strategies

400 - Provides evidence of achievement of desired learning objectives

500 - Uses school time effectively

600 - Maintains good classroom management/discipline

AREA II - PROFESSIONAL COMPETENCIES/QUALITIES

700 - Scholarship

800 - Leadership and initiative

900 - Organization

1000 - Records and Reports

AREA III - INTERPERSONAL RELATIONSHIPS

1100 - Works cooperatively and enthusiastically with students and school personnel in an environment of kindness, warmth, and acceptance, and in a framework of firmness and expectancy

1200 - Relationships with parents, civic and service organizations, other educational institutions and the general public characterized by respect, openness, friendliness, and professional ethics.

AREA IV - PERSONAL QUALITIES

1300 - Physical appearance and activity

1400 - Citizenship

1500 - Professional ethics

COMMENTS: (Evaluatee)

SUB TOTAL:

GRAND TOTAL:

COMMENTS: (Evaluator)

SIGNATURE: (Signature does not necessarily indicate agreement; rather that the process was carried out.)

EVALUATEE: _____ DATE: _____

EVALUATOR: _____ DATE: _____

COPIES: White-Evaluatee Pink-Evaluator Yellow-Evaluation

Task Force

(25) The teacher and the principal confer. Relevant documents are shared.

(26) The teacher responds to the assessment.

(27) The summative evaluation is signed by the principal and the teacher.

(28) Copies are distributed as indicated.

(29) If disagreement exists at the end of subdivision (5) above, the evaluation is reviewed in accordance with the adjustment review process.

(b) In the event that differences of opinion develop between the evaluatee and evaluator, the following adjustment process and adjustment review shall be available:

(1) The adjustment process shall be followed early in the evaluation cycle if the evaluatee disagrees about the suitability of the evaluator's prescriptions. Either evaluatee or evaluator may request a supplementary observation by a third person from among those designated as contributors. As a result of this supplementary observation, the evaluatee, evaluator and contributor shall confer and resolve the disagreement, however, in event that a disagreement cannot be solved by the parties, the following procedures shall be used:

a. The evaluatee and evaluator shall put their positions in writing.

b. A committee of three reviews the case. The committee shall be formed as follows:

1. The evaluatee nominates a qualified, actively employed member of the school system staff.

2. The evaluator nominates an administrator or supervisor.

3. The two nominees select a third member.

c. The decision of the committee shall be final.

(2) If there is disagreement on the summative evaluation and recommendation, the following adjustment review procedures shall be used:

a. Both parties shall put their position in writing.

b. Documentation relating to issues in question shall be reviewed by an adjustment review committee which shall be selected as follows:

1. A peer nominated by the evaluatee; (This must be an active professional employee of the local school system.)

2. A peer nominated by the evaluator; (This must be an active professional employee of the local school system.)

3. A teacher selected from the Adjustment Review Roster of Teachers. This roster shall be compiled as follows:

(i) Each elementary school in the local school system elects one teacher to be placed on the roster for elementary teachers.

(ii) Each middle school elects two teachers to be placed on the middle school roster.

(iii) Each high school elects two teachers to be placed on the high school roster.

(iv) Rosters are prepared for each level - elementary, middle, and high - by placing the names in random order.

(v) When the selection of a review committee becomes necessary, the first person on the list is used unless, for some urgent, cogent reason, he/she is considered ineligible. When a second committee is to be formed, the next name on the roster is used, etc.

4. A local school administrator, i.e., principal, assistant principal, instructional specialist, selected from the adjustment review roster of administrators. This roster shall be compiled as follows:

(i) Elementary, middle and high school rosters are prepared by listing all eligible participants in random order.

(ii) Committee members are selected from the top of the list as described in 3. above.

5. One representative from the central office adjustment review roster; this roster is compiled as follows:

(i) All professional personnel from the offices of the assistant superintendents for instruction and from the division of curriculum development shall be placed on either an elementary roster or a secondary roster. Names are listed in random order.

(ii) Committee members shall be selected from the top of the list as described in 3. above.

c. Rosters are maintained and committee meetings scheduled by the director of personnel relations.

d. The evaluatee and evaluator shall be called for clarification of points in the written positions. (This is an option of the committee.)

e. The committee shall make written recommendation to the evaluatee, the evaluator, and the director of personnel relations, who is responsible for the preparation of recommendations to the local superintendent of education for disposition.

Section 12. In addition to the satisfactory completion of the steps in the evaluation process detailed in section 11 of this act, proficiency in written communication skills must be demonstrated by participants who apply for a change in status to staff teacher. This proficiency shall be assessed in a writing exercise which shall be scheduled and conducted annually by the teacher incentive program screening committee.

Each participant shall be required to compose an essay of approximately 500 words which shall be assessed by a third party evaluator on the basis of sentence structure, paragraph organization and development, mechanics, grammar and usage. A score of 70 percent shall be obtained to satisfy such eligibility requirement for a change in status to staff teacher.

The identity of all participants shall be concealed during the assessment of the writing exercise.

Section 13. (a) The local board of education shall appoint one full-time evaluator for every 50 applicants to the position of senior or master teacher. Such evaluators shall be selected to reflect the background of the applicants and shall comprise the teacher incentive program evaluation task force. Such task force shall function as two separate teams, elementary and secondary, and shall assume responsibility for evaluation of their respective groups.

(b) The evaluation task force shall complete an intensive training program designed to insure that the differentiated evaluation process for all participants requesting a change in status to either the senior or master teacher level will be valid and consistent. Such training shall focus on the development of the skills and understandings necessary to fulfill the following job responsibilities:

- (1) Reviewing participants' portfolios.
- (2) Conducting interviews which are appropriately designed to elicit relevant data from peers, the local school administrative team, other contributors and the participant.
- (3) Fair and precise scoring of the weighted summative evaluation as evidenced by the form set forth in section 11(a)(24) of this act.
- (4) Efficient use of time in managing numerous and simultaneous participant evaluations.
- (c) Mastery of all skills and understanding necessary for the successful implementation of the differentiated evaluation process of the teacher incentive program shall be required of each task force member. The subsequent training needs of the evaluation task force will be addressed continuously.
- (d) The following steps shall be taken in the evaluation process for participants who are serving at or applying for a change in status to either the senior or master teacher levels:
 - (1) The principal and an evaluation task force member shall make at least one formal observation before preparation of the professional development plan. If any deficiencies are noted, at least two other formal observations shall be made before the completion of the plan.
 - (2) No formal observations shall be made during the first two weeks of school.
 - (3) Informal visits/observations may occur at any time.
 - (4) Formal observations may occur at any time deemed necessary, but observations should be no less than 30 minutes in length.
 - (5) An observation report as provided in section 11(a)(5) of this act is completed for each formal observation.
 - (6) Observation reports are used to identify both strengths and weaknesses.
 - (7) Supplementary notes, memoranda, and other supporting documents used in observations are attached to the observation report.
 - (8) Observation reports do not become part of the teacher's permanent personnel file unless termination is recommended.
 - (9) Areas not included on the observation report provided in section 11(a)(5) are documented through the use of memoranda or other forms of written communication. These are shared with the teacher.
 - (10) On or before the announced date (the end of the ninth week of school, unless otherwise indicated), a professional development plan is completed for each evaluatee.
 - (11) Using the performance standards for teachers as set forth in section 11(a)(11) of this act, the principal and the evaluation task force member review the teacher's performance in all areas. If there are identified deficiencies, as supported by observation reports and/or other means of documentation, the number preceding the performance standard(s) is encircled. If no deficiencies have been identified, the standard numbers remain unmarked.

(12) The evaluator and the evaluatee sign the performance standards.

(13) The performance standards to be addressed in the professional development plan are identified. Growth activities, along with sources of assistance and expected date of completion, are determined in conference.

(14) The individual professional development plan, the form which is prescribed in section 11(a)(14), is completed and the performance standards are attached.

(15) The evaluator and the evaluatee sign the individual professional development plan.

(16) If a disagreement occurs, either the teacher or the principal may select one or more contributors to conduct an observation of the teacher. If the disagreement persists, an adjustment process shall be instituted.

(17) The professional development plan is determined by the evaluatee's needs and the prescribed remediation. Growth activities may include, but not be limited to, the viewing of teaching demonstrations, participation in staff development workshops, individual conferences with resource persons, and independent study.

(18) The implementation of the professional development plan is the responsibility of the evaluatee.

(19) Both formal and informal observations may be conducted during the implementation period.

(20) The evaluator, the evaluation task force member, and the evaluatee confer to assess the extent to which the professional development plan was achieved.

(21) The evaluatee is given an opportunity to indicate his assessment of the extent to which the professional development plan was achieved and to cite specific areas (if any) where assistance was inadequate in kind and amount.

(22) Comments of either party may be recorded in the "comments" section of the observation report and/or on a memorandum or other form of written communication.

(23) Prior to the date set by the personnel office, the evaluator makes the final observation of the teacher to assess overall performance.

(24) The summative evaluation is completed by the principal and the evaluation task force member.

(25) The teacher, the evaluation task force member, and the principal confer. Relevant documents are shared.

(26) The teacher responds to the assessment.

(27) The summative evaluation is signed by the principal and the teacher.

(28) Copies are distributed as indicated.

(29) If disagreement exists at the end of subdivision (5) of this section, the evaluation is reviewed in accordance with the adjustment review process.

(e) In the event that differences of opinion develop between the evaluatee and the evaluator, the following adjustment process and adjustment review shall be available:

(1) The adjustment process shall be followed early in the evaluation cycle if the evaluatee disagrees about the suitability of the evaluator's prescriptions. Either party may request a supplementary observation by a third person from among those designated as contributors. It is expected that, as a result of this supplementary observation, the evaluatee, evaluator, and contributor will confer and resolve the disagreement.

At any stage of the process, however, when a serious disagreement arises that cannot be solved by the parties, the following procedures may be used:

a. The evaluatee and evaluator put their positions in writing.

b. A committee of three people reviews the case. The committee is formed as follows:

1. The evaluatee nominates a qualified, actively employed member of the school system staff.

2. The evaluator nominates an administrator or supervisor.

3. The two nominees select a third member.

c. The decision of the committee is final.

(2) If there is disagreement on the summative evaluation and recommendation, the following adjustment review procedures shall be used:

a. Both parties shall put their positions in writing.

b. Documentation relating to issues in question is reviewed by an adjustment review committee which shall be selected as follows:

1. A peer nominated by the evaluatee; (This must be an active professional employee of the local school system.)

2. A peer nominated by the evaluator; (This must be an active professional employee of the local school system.)

3. A teacher selected from the adjustment review roster of teachers. This roster is compiled as follows:

(i) Each elementary school elects one teacher to be placed on the roster for elementary teachers.

(ii) Each middle school elects two teachers to be placed on the middle school roster.

(iii) Each high school elects two teachers to be placed on the high school roster.

(iv) Rosters shall be prepared for each level—elementary, middle, and high—by placing the names in random order.

(v) When the selection of a review committee becomes necessary, the first person on the list is used unless for some urgent, cogent reason he is considered ineligible. When a second committee is to be formed, the next name on the roster is used, etc.

**REGULAR SESSION
26th Day**

1397

4. A local school administrator, i.e., principal, assistant principal, instructional specialist, selected from the adjustment review roster of administrators. This roster shall be compiled as follows:

(i) Elementary, middle and high school rosters are prepared by listing all eligible participants in random order.

(ii) Committee members are selected from the top of the list as described in (3) above.

5. One representative from the central office adjustment review roster; this roster shall be compiled as follows:

(i) All professional personnel from the local superintendent of education's office are placed on either an elementary roster or a secondary roster. Names are listed in random order.

(ii) Committee members are selected from the top of the list as described in (c) above.

(c) Rosters shall be maintained and committee meetings scheduled by the person in charge of personnel in the local board of education office.

(d) The evaluatee and evaluator may be called for clarification of points in the written positions. (This shall be an option of the committee.)

(e) The committee shall make written recommendation to the evaluatee, the evaluator, and the personnel director who shall be responsible for the preparation of recommendations to the superintendent for disposition.

Section 14. Supplements shall be paid to participants based on their career ladder classification and participants' contracts, duties and respective time allocation shall be determined by their career ladder classification according to the following schedule:

STAFF LEVELS

MASTER TEACHER

SALARY - Base Salary plus
\$2,000.00 Career Ladder Supplement
CONTRACT - 9 or 10 months
DUTIES

**TIME
ALLOCATION**

9 months classroom instruction	100 percent
*10 months classroom instruction	90 percent
staff development,	
curriculum development	
program assessment,	
and/or research	10 percent

SENIOR TEACHER

SALARY - Base Salary plus
\$1,500.00 Career Ladder Supplement
CONTRACT - 9 or 10 months
DUTIES

**TIME
ALLOCATION**

9 months classroom instruction	100 percent
*10 months classroom instruction	90 percent
staff development,	
curriculum development	
program assessment,	
and/or research	10 percent

STAFF TEACHER

SALARY - Base Salary plus
\$1,000.00 Career Ladder Supplement
CONTRACT - 9 months
DUTIES

TIME
ALLOCATION
100 percent

Classroom instruction
ASSOCIATE TEACHER

SALARY - Base Salary plus
\$500.00 Career Ladder Supplement
CONTRACT - 9 months
DUTIES

TIME
ALLOCATION
100 percent

Classroom instruction
TEACHER CANDIDATE

SALARY - Base Salary
CONTRACT - 9 months
DUTIES

TIME
ALLOCATION
100 percent

Classroom instruction

*Base salary shall be increased by 1 month's pay for the 10 month option.

Section 15. (a) Participants may elect to remain in each classification at least for the period specified below and as is desired in section 3 of this act.

- (1) Teacher candidate — 3 years
- (2) Associate teacher — 3 years
- (3) Staff teacher — 4 years
- (4) Senior teacher — 3 years

(b) Participants whose performance evaluations exceed that required for a status change may elect the following schedule as described in Section 3:

- (1) Teacher candidate — 3 years
- (2) Associate teacher — 2 years
- (3) Staff teacher — 3 years
- (4) Senior teacher — 2 years

Section 16. Upon receiving classification at any level, the participant assumes an obligation to maintain the same degree of performance which qualified him for the classification. In the event that the performance level falls below that which is prescribed in section 3, the participant will be reclassified in the next lower level for which he qualifies.

Section 17. A program administrator shall be appointed by each local board of education to perform the organizational and planning tasks needed to support the work of the elementary and secondary screening committees and the evaluation task force. This administrator will be charged with the management of on-going program operations in order to free the committees to assume all screening and decision-making responsibilities.

Section 18. All information submitted by an applicant according to the provisions of this plan will be received by the teacher incentive program administrator who will assume responsibility for storing and maintaining these records in order to insure security and confidentiality.

Section 19. The incentive program in each school system shall be evaluated annually by an incentive program evaluation task force. The task

REGULAR SESSION
26th Day

1399

force will be comprised of twenty-four teachers equally divided among elementary, middle, and high schools, and three instructional specialists, two assistant principals, six principals, and six lay members.

Teachers, instructional specialists, assistant principals, and principals will be nominated by local school faculties. The superintendent shall select the task force from those nominated and shall submit the list to the board for approval. Lay members will be nominated by the superintendent and board members with the final six persons approved by the board.

Task force members shall rotate each year. The rotation cycle shall be established by rostering the entire task force in alphabetical order. Every third person will serve three years, every second person will serve two years, and all remaining members will serve one year.

The task force shall submit an annual report to the superintendent by July 1 each year. That report shall address program needs based on input from local faculties and will include appropriate recommendations for modifications, if needed.

Section 20. The local board of education shall maintain staff development activities designed to provide training which will enable all teachers to take advantage of incentive structures provided in this plan.

Section 21. This act shall be applicable in all city and county school systems unless any such system adopts an alternate teacher incentive program approved by the state board of education.

Section 22. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 23. All laws or parts of laws which conflict with this act are hereby repealed.

Section 24. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 211. To amend Section 22-20-3 of the Code of Alabama 1975, so as to further provide that all susceptible infants be tested for sickle cell anemia or sickle cell trait.

Also:

S. 258. To amend Section 38-2-6.1, Code of Alabama 1975, which provides for the office of state parent locator for the location of absent parents, so as to provide further for said office by providing the office with the authority to locate parents, putative parents, or children in cases of parental kidnapping or child custody disputes and providing that location

information may be obtained from the Department of Revenue and private employers.

Also:

S. 554. To amend the amendment to the Constitution of Alabama of 1901 proposed by Act No. 85-79, H. 6, of the 1985 First Special Session, which provides for a permanent trust fund known as "The Alabama Trust Fund" with certain moneys derived by the state from the sale, leasing or other disposition of its rights in certain offshore oil, gas and other hydrocarbon minerals, so as to provide further for the membership of the board of trustees of such trust fund.

Also:

S. 532. Relating to missing persons and unidentified deceased persons; to create a statewide information center within the state department of public safety to receive reports and investigations of such persons; to require the bureau to enter and cancel certain information to the National Crime Information Center (NCIC) computer; to provide for certain other responsibilities of the bureau; to require the bureau to provide lists of missing school children, grades K-12, to the state board of education; to provide that the bureau shall upon request, assist local law enforcement agencies and other agencies to set up direct computer access to the state's computer system and to provide that the bureau maintain a toll-free telephone number for reporting by other persons of missing persons.

Also:

S. 613. Relating to state health planning; to further provide and clarify the requirement for the issuance of a certificate of need prior to the change in use or conversion of a bed from one health care service to another under certain conditions.

Also:

S. 690. To require the Board of Adjustment to hear and issue decisions concerning certain claims of employees of the Public Safety Department and appropriate certain funds to pay said claims.

Also:

S. 672. To amend the Alabama Uniform Certificate of Title and Antitheft Act by repealing Section 32-8-48, Code of Alabama, 1975, and by amending Section 32-8-87, Code of Alabama, 1975, to include certain requirements set forth in Section 32-8-48 repealed herein, to remove the requirement of surrendering the vehicle identification number plate in certain instances, to provide for the issuance of a salvage certificate of title and the assignment of same, to exempt insurance companies from titling motor vehicles in the name of the company in certain instances, to redefine total loss motor vehicles for clarity, to require certain other documents or items to be surrendered to the Department of Revenue in certain instances, to provide for an inspection of salvage vehicles before retitling, and to provide penalties for violations of this Act.

CHARLES BISHOP,

Chairperson.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, and pending Bedsole substitute.

**COMMUNICATION FROM THE SUPREME COURT
THE STATE OF ALABAMA ----- JUDICIAL DEPARTMENT
THE SUPREME COURT OF ALABAMA
OCTOBER TERM, 1984-85**

REPORT TO THE LEGISLATURE

RE: Substitute to the Substitute to Senate Bill 276 (by Senator Chip Bailey). Proposes to create, among other additional judgeships, an additional circuit judgeship for the 29th Judicial Circuit.

TO: State Senate
%Hon. McDowell Lee, Secretary of the Senate

House of Representatives
%Hon. John Pemberton, Clerk of House of Representatives

Under the provisions of Section 6.12(b) of Amendment 328 to the Constitution, the Supreme Court is required to report to the legislature its recommendations whenever a bill is introduced to increase or decrease the number of circuit or district judges or change the boundaries of any judicial circuit or district.

Additionally, under the provisions of Sections 6.12(a) of Amendment 328 of the Constitution, the Supreme Court is authorized to establish criteria for determining the need for additional judges and to certify its findings at the beginning of any legislative session when it finds that a need exists for increasing or decreasing the number of circuit or district judges. Pursuant to this mandate, this Court, in its order of May 26, 1975, established certain criteria for determining the need for additional judgeships. Additionally, on February 25, 1985, this Court entered an order containing its findings relative to the need for an additional district judgeship for Houston County and such order, in part, recommended that the 1985 Alabama Legislature give creation of that judgeship first priority. This Court's order of said date and specific findings have previously been forwarded to the Legislature as provided in the Constitution. This Court now reiterates its findings of February 25, 1985, relative to the priority which should be given to legislation creating additional judgeships at the present time. In compliance with Section 6.12(b) of Amendment 328, this Court also submits herein the criteria and statistical information relative to the proposed circuit judgeship for the 29th Judicial Circuit based on the case reporting system of the Administrative Office of Courts.

29TH JUDICIAL CIRCUIT
TALLADEGA COUNTY

TABLE I
Demographic Statistics
FY 1984

	<u>Circuit Court</u>
Population per Judge	36,913
Rank	12th
Statewide Average Population/Judge	31,657

Square Miles per Judge	376
Rank	24th
Statewide Average Square Miles/Judge	412
Population Density	98
Rank	12th
Statewide Average Population/Square Mile	77
Attorneys per Judge	34
Rank	11th
Statewide Average Attorneys/Judge	49

With the exception of square miles per judge and attorneys per judge, all other circuit court demographic rankings are above the statewide averages.

Comparative caseload statistics for FY 1979 - FY 1984 for the circuit court are set forth below:

TABLE II
Circuit Court Caseload
FY 1979—FY 1984

	<u>FY 1979</u>	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984</u>	<u>% Change</u> <u>FY 79-84</u>
Filings	1,773	1,851	1,964	1,872	1,817	1,949	10%
Dispositions	1,759	1,789	1,869	1,894	1,841	1,966	12%
Pending	814	876	1,061	1,039	1,015	996	22%
Throughput	99%	97%	95%	101%	101%	101%	
Case Currency	46%	49%	57%	55%	55%	51%	

The circuit court case filings have increased 10% from FY 1979 - FY 1984. Statewide, filings have increased 6% for this period. Dispositions have increased 12% and pending cases are up 22%.

The most accurate measurement of a court's workload is caseload per judge. Table III displays the caseload per judge for the circuit court for FY 1984 and the effects of an additional judge, as if one had been added that year.

TABLE III
Circuit Court Caseload per Judge

	<u>Present</u> <u>(2 Circuit Judges)</u>	<u>Proposed</u> <u>(3 Circuit Judges)</u>
Filings per Judge	974	649
Rank	12th	36th
Statewide Average Filings per Judge	1,100	1,090
Dispositions per Judge	983	655
Rank	11th	34th
Statewide Average Dispositions per Judge	1,096	1,086
Pending per Judge	498	332
Rank	17th	35th
Statewide Average Pending per Judge	649	643

With 974 filings per judge, the 29th Judicial Circuit is currently ranked

12th statewide and falls 11% below the statewide average of 1,100 filings per judge. The 29th Judicial Circuit, with 983 dispositions per judge and 498 pending cases per judge, is ranked 11th and 17th in these categories, respectively. If an additional judge had been added, the filings per judge would have been reduced to 649, 40% below the state average and the statewide ranking for this category would have dropped to 36th. Rankings for the categories of dispositions per judge and pending cases per judge would have been reduced to 34th and 35th, respectively.

Based upon the demographic and caseload statistics, an additional circuit judgeship for the 29th Judicial Circuit is not recommended at this time.

All Justices concur.

OPINION RENDERED

The foregoing Communication from the Supreme Court of Alabama was read and ordered spread upon the Journal.

COMMUNICATION FROM THE SUPREME COURT

THE STATE OF ALABAMA ----- JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA OCTOBER TERM, 1984-85

REPORT TO THE LEGISLATURE

RE: Substitute to the Substitute to Senate Bill 276 (by Senator Chip Bailey). Proposes to create, among other additional judgeships, an additional district judgeship for Dale County.

TO: State Senate
% Hon. McDowell Lee, Secretary of the Senate

House of Representatives
% Hon. John Pemberton, Clerk of House of Representatives

Under the provisions of Section 6.12(b) of Amendment 328 to the Constitution, the Supreme Court is required to report to the legislature its recommendations whenever a bill is introduced to increase or decrease the number of circuit or district judges or change the boundaries of any judicial circuit or district.

Additionally, under the provisions of Sections 6.12(a) of Amendment 328 of the Constitution, the Supreme Court is authorized to establish criteria for determining the need for additional judges and to certify its findings at the beginning of any legislative session when it finds that a need exists for increasing or decreasing the number of circuit or district judges. Pursuant to this mandate, this Court, in its order of May 26, 1975, established certain criteria for determining the need for additional judgeships. Additionally, on February 25, 1985, this Court entered an order containing its findings relative to the need for an additional district judgeship for Houston County and such order, in part, recommended that the 1985 Alabama Legislature give creation of that judgeship first priority. This Court's order of said date and specific findings have previously been forwarded to the Legislature as provided in the Constitution. This Court now reiterates its findings of February 25,

1985, relative to the priority which should be given to legislation creating additional judgeships at the present time. In compliance with Section 6.12(b) of Amendment 328, this Court also submits herein the criteria and statistical information relative to the proposed district judgeship for Dale County based on the case reporting system of the Administrative Office of Courts.

DALE COUNTY

TABLE I
Demographic Statistics
FY 1984

	<u>District Court</u>	<u>Rank</u>
Population per Judge	47,821	16th
Statewide Avg. Population per Judge	43,212	
Square Miles per Judge	561	52nd
Statewide Avg. Square Miles per Judge	563	
Population per Square Mile	85	16th
Statewide Avg. Population per Square Mile	77	
Attorneys per Judge	33	21st
Statewide Avg. Attorneys per Judge	61	

The demographic statistics for the District Court of Dale County are near the statewide average in all categories except attorneys per judge.

Comparative caseload statistics for FY 1979 - FY 1984 are displayed in Table II.

TABLE II
Caseload Statistics
FY 1979 - FY 1984

	<u>FY 1979</u>	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984</u>	<u>%Change</u> <u>79-84</u>	<u>%Change</u> <u>83-84</u>
Filings	4,167	4,611	4,217	3,906	4,717	5,294	+ 27%	+ 12%
Dispositions	3,856	4,641	3,887	3,574	4,040	5,074	+ 32%	+ 26%
Pending	772	742	989	1,321	2,048	2,268	+ 194%	+ 11%
Throughput	93%	101%	92%	92%	86%	96%	----	----
Case Currency	20%	16%	25%	37%	51%	45%	----	----

Filings increased from FY 1979 to FY 1984 by 27%, while dispositions increased 32% for the same period. Pending cases have increased 194% from FY 1979 to FY 1984.

A divisional analysis of the district court reveals that, with the exception of the criminal cases, all other divisions experienced an increase in filings from FY 1979 to FY 1984. The increase in each division is as follows: Traffic, 43%; Small Claims, 43%; Civil, 70%; and Juvenile, 1%. Criminal cases decreased by 11%.

The workload of a court system is generally measured in terms of case filings, dispositions and pending cases per judge. Table III displays this data for FY 1984 and the effects of an additional district judge, as if one had been added that year.

TABLE III
District Caseload per Judge
FY 1984

	<u>Present</u> <u>(1 District Judge)</u>	<u>Proposed</u> <u>(2 District Judges)</u>
Filings per Judge	5,294	2,647
Statewide Ranking	24th	52nd
Statewide Average	5,224	5,166
Dispositions per Judge	5,074	2,537
Statewide Ranking	26th	54th
Statewide Average	5,176	5,119
Pending per Judge	2,268	1,134
Statewide Ranking	16th	40th
Statewide Average	1,764	1,744

As shown in Table III, the District Court of Dale County ranks near the statewide average in filings and dispositions per judge, 24th and 26th, respectively, while the pending caseload per judge ranks 16th statewide. With the addition of a district judge, the district court would drop below the statewide average in all three categories and would be ranked 52nd in filings, 54th in dispositions and 40th in pending cases per judge.

Based upon the demographic and caseload statistics, an additional district judgeship for Dale County is not recommended at this time.

All Justices concur.

OPINION RENDERED

The foregoing Communication from the Supreme Court of Alabama was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 6. To raise the legal age for a person to attempt to purchase, to purchase, consume, possess or to transport alcoholic beverages, to provide criminal penalties, and to provide that juvenile offenders shall be incarcerated, if so sentenced, in juvenile detention facilities, and to exempt persons 19 years of age or older on the effective date of this act and certain persons authorized to make purchases from certain military liquor or package stores, pursuant to Section 28-1-3, Code of Alabama 1975.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, and pending Bedsole substitute.

Senator Dixon offered the following amendment to the substitute for the Bill, H. B. 544, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 544

Amend Substitute for H. B. 544 on page 43, line 23, by striking out Section 24 in its entirety and inserting in lieu thereof the following:

“Section 24. This act shall become effective October 1 of the year following its passage and approval by the Governor, and following its approval by a majority of the electors voting in a public referendum.”

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 331. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1986.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 331. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1986.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 6. To raise the legal age for a person to attempt to purchase, to purchase, consume, possess or to transport alcoholic beverages, to provide criminal penalties, and to provide that juvenile offenders shall be incarcerated, if so sentenced, in juvenile detention facilities, and to exempt persons 19 years of age or older on the effective date of this act and certain persons

REGULAR SESSION
26th Day

1407

authorized to make purchases from certain military liquor or package stores, pursuant to Section 28-1-3, Code of Alabama 1975.

Also:

H. 117. To amend Section 36-26-17, Code of Alabama 1975, relating to the manner of filling vacancies in the classified service so as to increase the number of names certified by the state personnel department director.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 669. Revising the Laws of Alabama in Title 40 of the Code of Alabama as amended, providing for timely mailing as timely filing, conforming certain rules concerning the determination of basis to the federal income tax rules; removing restrictions on eligibility to elect Alabama S Corporation status; conforming certain rules concerning the recognition of gains to the federal income tax rules; deleting obsolete provisions; providing for the taxation of corporate distributions; extending the filing deadline where an extension of time for filing has been requested; exempting from the income tax certain charitable, educational, etc. organizations; imposing a tax on unrelated business taxable income of certain otherwise exempt organizations; modifying certain deductions of corporations; modifying the individual net operating loss deduction and making permanent the corporate net operating loss deduction; allowing a deduction of amortized portions of the expenses of organizing a corporation; conforming the rules concerning installment sales to reflect the current federal income tax rules and modifying such rules to limit the avoidance of the Alabama income tax; and providing that the above changes shall, with specified exceptions, take effect for taxable years beginning after December 31, 1984.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 23. To create and establish a Military Department Billeting Revolving Fund; to provide for a one-time appropriation to establish said fund; to provide for the methods of expending such funds for billeting purposes; to provide for the promulgation of procedures concerning operation of said billeting revolving fund by the Adjutant General; to provide for the collection of charges for such billeting so as to reimburse and replenish said revolving fund; and to provide that monies remaining in the Military Department Billeting Revolving Fund at the end of any fiscal year shall be encumbered and carried over from year to year.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 585. Relating to Mobile County; to amend further Section 1 of Act No. 111, H. 419, Regular Session 1955 (Acts 1955, p. 356), which relates to the salary of the tax collector, so as to provide further for such salary.

Also:

S. 609. Relating to the 13th Judicial Circuit; providing for the appointments of circuit court magistrates by the circuit judges of said circuit; prescribing the duties, qualifications and compensation of such magistrates; and providing that the Mobile County Commission shall provide certain facilities, and moneys for compensation and expenses of such magistrates.

Also:

S. 681. Proposing a local self-executing amendment to the constitution for Lauderdale County and its municipalities for the purpose of joining with Colbert County and its municipalities, if Colbert County adopts a constitutional amendment passed at the 1985 Regular Legislative Session which is substantially identical to this proposed amendment, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities to provide for the organization, powers, functions, duties and personnel of such authority, including the authority to issue bonds and incur debt, and for the payment of expenses of the authority and for the compensation of its employees. This proposed amendment also allows the governing body of Lauderdale County to levy an additional one cent tax for industrial development purposes and to provide for the distribution of the proceeds.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Rep. Preuitt (With Notice and Proof):

H. 1042. Relating to the compensation of the Talladega County revenue commissioner; to provide that the county commission of Talladega County may set the salary of the county revenue commissioner from time to time within certain limitations; and providing an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1042, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Smith and Tanner (With Notice and Proof):

H. 1052. Relating to Bibb County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Bibb County at a referendum election held for such purposes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1052, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Warren (With Notice and Proof):

H. 1053. Relating to Monroe County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1053, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Grouby (With Notice and Proof):

H. 1054. Relating to Autauga County; to change the method of compensating the judge of probate; to fix such compensation; to provide that

fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county; and to make provision for the personnel, quarters and supplies for the probate office.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1054, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. McMillan and Penry (With Notice and Proof):

H. 1056. To amend Act No. 92, Acts of Alabama 1956, providing for the "Baldwin County Law Library Fund" so as to redesignate it the "Baldwin County Law Library and Judicial Administration Fund"; to provide that the fund may be used, in addition to purchasing law books, periodicals and equipment for the library, for the purposes of furthering the effective administration of justice as provided herein; to designate eighty percent (80%) of said fund for the purposes of maintaining the county law library and twenty percent (20%) for the purposes of judicial administration; and to provide an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1056, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Butler, Hettinger, and Grayson (With Notice and Proof):

H. 1059. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1059, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Britnell, Lauderdale, and Newman (With Notice and Proof):

H. 1061. Relating to Marion County; providing for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit criminal court in Marion County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1061, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Britnell (With Notice and Proof):

H. 1062. Relating to Franklin County; providing for the disposition of the revenue resulting from certain fees assessed on transactions performed by the tax assessor.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1062, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1042, 1052, 1053, 1054, 1056, 1059, 1061, and 1062—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment.

By Rep. Laird (With Notice and Proof):

H. 1047. To alter or rearrange the boundary lines of the City of Ashland, Clay County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Clay County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1047, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1047—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment.

By Reps. Poole, Melton, Johnson (Roy), Mitchell, and Brakefield:

H. 921. To amend Section 17-4-156 of the Code of Alabama 1975, relating to meeting days of the boards of registrars, so as to increase

Tuscaloosa County's board of registrars meeting days and to specifically repeal Act No. 1428, S. 760, 1971 Regular Session (Acts 1971, p. 2454).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 921—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment.

By Reps. Junkins, Bugg, Ford, and Coleman:

H. 1044. Relating to the adoption by ordinance of a mayor-council form of government in Class 4 municipalities; providing for the election laws to be applied; providing for the council not to interfere in appointments nor give orders to subordinates; providing for the powers of the city; providing for the method whereby franchises may be granted; providing for the method of establishing and reapportioning of council districts; providing for preservation of other officers, their powers, duties, rights, privileges and emoluments; providing for the continuation and preservation of civil service status of employees; providing for the preservation and transfer of all property owned by the municipality; providing for the continuation and preservation of all contracts in force, all legal proceedings and all pension funds; providing for the continuation of all subordinate agencies of the municipality and all ordinances and resolutions; various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and providing for an effective date of this Act, the repeal of all conflicting laws, and the severability of the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1044—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Grouby:

H. 951. To regulate further the office of probate judge in this state; to provide for the compensation of the probate judges of the several counties

REGULAR SESSION
26th Day

1413

to be by an annual salary; to provide for such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county; to make provision for the personnel, quarters, supplies and equipment for the office of the probate judge; to provide for those employees employed prior to the Ethics Act, and to provide that certain probate judges who are compensated on the fee system under certain conditions may elect to continue on the fee system so long as they hold the office.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 951—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Rep. Mathis:

H. 183. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1986, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Also:

By Rep. Johnson (Roy):

H. 416. To provide in addition to benefits now received, a retirement cost-of-living increase to all persons retired under the Employees' Retirement System of Alabama, prior to October 1, 1984, provided that no person whose retirement under the Employees' Retirement System is based on 51 percent or more service as an employee of an employer participating under Section 36-27-6, shall be entitled to receive said increase unless the employer by which he was employed elects to come under the provisions of this act; provided further that employees in this class whose employer was a local board of education or a state supported institution of higher education shall be entitled to said increase and, the cost associated therewith shall be financed from appropriations to the Employees' Retirement System under certain conditions; to provide that any person whose eligibility to receive Medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase; to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama;

and to provide for the funding of the increases granted and the repeal of conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 183—to the Committee on Agriculture, Conservation, and Forestry

H. B. 416—to the Committee on Buildings and Grounds

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment.

By Reps. Sasser and Grouby:

H. 858. To provide for victim impact investigations, victim impact reports and voluntary victim impact statements in criminal cases; to provide for their scope, content, and confidentiality; to provide for their use at sentencing and thereafter; to provide defendants and others access to victim impact statements and victim impact reports; to provide victims access to presentence reports under certain terms and conditions; to provide for voluntary victim participation in victim impact investigations and victim impact reports; to provide for voluntary victim allocation at sentencing; to provide for a short title, definitions of terms, and public policy.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 858—to the Committee on Buildings and Grounds

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 240. To amend Section 36-22-63, Code of Alabama 1975, relating to the purchase of prior service credit for participation in the supernumerary sheriff's program, so as to extend the time within which such a purchase may be made.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. Rice, Sasser, White (L), Laird, Lauderdale, Dutton, Carter, and Smith:

H. 577. To establish and create a licensing board to be known as the Alabama board of electrical contractors for the purpose of testing and licensing electrical contractors; to provide for the appointment of such members and of members of an appeal board; to authorize such board to carry out the purpose of this act; to appropriate funds for such board and to prescribe penalty for violation of this act.

Also:

By Reps. Nicholson and Brakefield:

H. 854. To create and establish the Alabama Mining Academy to be located at Walker State Technical College in Walker County, Alabama, and to provide assistance to the State of Alabama mining industry through education, training and research.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 577—to the Committee on Small Business

H. B. 854—to the Committee on Education

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. White (L), Beasley, Butler, Mikell, and Johnson (RG):

H. 196. To amend the Code of Alabama 1975, Section 34-23-94, relating to regulating appeals from decisions of the Alabama State Board of Pharmacy, so as to delete the requirement for de novo appeals and to substitute therefor appeals on the record in accordance with the Alabama Administrative Procedure Act.

Also:

By Rep. White (L):

H. 514. To amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975, which provides for ad valorem tax exemptions, so as to provide further for the homestead provision for persons 65 years old or older.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 196—to the Committee on Health and Welfare

H. B. 514—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. Bugg, McNair, Grayson, Junkins, Hooper, Zoghby, Hall, Burke, Hettinger, Lindsey, Bachus, Gray, Venable, Flowers, Perdue, Albright, Dutton, Laird, Smith, Mikell, Davis, Escott, Cosby, Rogers, Boles, Pratt, Melton, White (L), Brooks, Goodwin, Clark (D), Seibels, Payne, Carter, and Kennedy:

H. 820. To amend Section 13A-14-2, Code of Alabama 1975, which relates to the Sunshine Law, so as to provide for notice of meetings and to increase the penalties for violations.

Also:

By Rep. Carothers:

H. 823. To re-open the Retirement Systems of Alabama in order to allow active and contributing members and former such members with vested retirement benefits to claim and purchase credit for military service and to provide for its termination.

Also:

By Rep. Campbell:

H. 531. To further amend § 40-23-1, Code of Alabama 1975, as amended, which section contains various definitions applicable to the Alabama sales tax, so as to clarify, and remove ambiguity from, the definition of "sale or sales," and declaring that such clarification does not constitute a change in, but is declaratory of, the pre-existing law.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 820—to the Committee on Governmental Affairs

H. B. 823—to the Committee on Buildings and Grounds

H. B. 531—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 584. To provide for a supplemental appropriation to the Department of Agriculture and Industries from the agricultural fund for the period ending September 30, 1985, in the amount of \$400,000.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. Kennedy, Clark (W), and Buskey (James):

H. 276. To amend Sections 3 and 4 of Act No. 84-288, S. 154, 1984 Regular Session (Acts 1984, p. 498), appearing as Sections 31-10-3 and 31-10-4 of the Code of Alabama 1975, relating to the Alabama National Guard Educational Assistance Act, so as to provide further for benefits and eligibility requirements.

Also:

By Reps. Lindsey, Burke, and Butler:

H. 1020. To create the Alabama Advisory Council on Children and Youth; to establish the composition, terms of office and duties of the members of such council; to provide for notice of meetings of the council and the conduct thereof; and to make an appropriation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 276—to the Committee on Military Affairs

H. B. 1020—to the Committee on Student and Youth Activities

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. Hooper, Onderdonk, Mikell, Butler, Marietta, Rice, McKee, Starr, White (F), Flowers, Buskey (John), Coleman, Warren, Hettinger, Gaston, Zoghby, Box, Turnham, Burke, Hall, Poole, Trammell, Rogers, Grouby, Seibels, Faulk, Brooks, Escott, Newman, Harper, Lindsey, Cosby, Tanner,

Mathis, Smith, Martin, Adams, Laird, Bugg, McNair, Clark (W), Kvalheim, Fuller, Richardson, Starkey, Bowling, Blakeney, and Buskey (James):

H. 266. To require public officers and employees and certain other persons who have any financial interest in any hazardous waste disposal site in the state of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this act.

Also:

By Reps. Trammell, Smith, Blake, Boles, and Crow:

H. 86. To amend Sections 25-8-4, 25-8-8, and 25-8-16, Code of Alabama, 1975, so as to bring Alabama's Child Labor statutes into agreement with existing Federal regulations pertaining to working hours of children under age sixteen and establishes additional specific working hours for certain children enrolled in school and also provides for exemptions to established work hours.

Also:

By Reps. Coleman, Newman, Junkins, Burke, and Lindsey:

H. 204. To amend Section 36-7-40 of the Code of Alabama 1975 so as to further provide for the reimbursement of state employees for moving expenses.

Also:

By Reps. Davis, Rogers, Escott, Perdue, Beers, McNair, Gray, Boles, Newton, Spratt, and White (G):

H. 866. To amend Section 12-19-92, Code of Alabama 1975, which provides for fees of constables, so as to provide further for the fees of the constables in Jefferson County.

Also:

By Rep. Harvey:

H. 764. To amend Sections 11-96-1 and 11-96-3, Code of Alabama 1975, which relate to Community Action Agencies, so as to provide further for the appropriations to said agencies and to provide further for the definition of same.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 266—to the Committee on Buildings and Grounds

H. B. 86—to the Committee on Student and Youth Activities

H. B. 's 204, 866, and 764—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Marietta:

H. 587. Relating to all civil actions in tort, contract or otherwise against architects and engineers arising out of any defect or deficiency in the design, planning, testing, supervision, administration or observation of construction of an improvement on or to real property, or against builders who construct an improvement on or to real property designed by and constructed under the supervision of an architect or engineer, arising out of any defect or deficiency in the construction of an improvement on or to real property; to provide a definite statute of limitations of three years after a cause of action accrues or arises in all such actions; to provide a bar to relief for all causes of action and to all rights of action which accrue more than seven years after the substantial completion of construction of an improvement on or to the real property; to provide when a cause of action accrues or arises; to provide that this Act does not apply to causes of action which have accrued prior to its effective date; to provide that this Act does not create any cause of action against such architects or engineers or builders or any other persons; to define terms; and to repeal all conflicting laws.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 587—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Richardson and Hall:

H. 34. To amend Sections 32-12-22, 32-6-1, 32-6-3, 32-6-4, and 32-6-8 of the Code of Alabama 1975, relating to motorcycles and motor-driven cycles, so as to provide further for the licensing therefor, and relating to motor vehicles and obtaining a driver's license to operate a motor-driven cycle, so as to provide that the director of public safety or an examining officer shall observe the applicant operate a motor-driven cycle in a competent manner prior to the granting of an operator's license and to increase the fees and further provide for the requirements of licensing motor-driven cycles and motorcycles.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 34—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Richardson:

H. 569. To amend Section 41-9-708, Code of Alabama 1975, relating to the Alabama Indian Affairs Commission, so as to give the Chattooga Cherokees of Northeast Alabama representation on said commission.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 569—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Bryant:

H. 618. To permit agricultural aircraft to take off and land on lightly traveled local highways with the permission of the county commission of said county provided that the average daily traffic count on the road is less than 200.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 618—to the Committee on Commerce, Transportation, and Utilities

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, and pending Bedsole substitute. The question was on the amendment offered by Senator Dixon.

REGULAR SESSION
26th Day

1421

ADJOURNMENT

At 10:30 P. M., on motion of Senator Denton and pending further consideration of H. B. 544, the Senate adjourned until Tuesday, May 7, 1985, at 10 o'clock A. M.

TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, MAY 7, 1985

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by Chaplain Donald W. Hagler, Captain, United States Air Force, Maxwell Air Force Base, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Leah Peters, Tallassee High School, Tallassee, Alabama.

ROLL CALL

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

JOURNAL

On motion of Senator Ellis, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Sixth Legislative Day was approved by the Senate.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator deGraffenried:

S. 578. To amend Section 41-1-6 of the Code of Alabama 1975, so as to increase the dollar value from \$100.00 to \$500.00 for nonconsumable personal property which has to be reported by the property manager of each department or agency of the state, and decreasing the frequency of the report from every six months to once every two years.

By Senators Menton, Goodwin, Smith (B), and Foshee:

S. 400. To amend further sections 40-23-4 and 40-23-62 of the Code of Alabama 1975, which provide for certain exemptions from sales and use taxes, so as to include certain materials, supplies and equipment used in offshore federal waters; and to provide for an effective date.

By Senators Bennett and Bedford (With Substitute):

S. 10. To appropriate a certain portion from the interest income derived from investment of certain oil lease revenues for the creation of an "Alabama Environmental Protection Superfund"; to provide that such fund shall be used for clean-up operations of certain toxic and hazardous waste sites; to provide that such fund shall be administered by the Alabama Department of Environmental Management; to direct said administration department to secure federal matching funds whenever possible and to provide for future appropriations for such superfund.

By Senator Bennett:

S. 380. To provide that support shall be ordered paid directly to the Department of Pensions and Security or its designee in any case where the Department has been subrogated to the rights of a child or other person to collect and receive support payments from the obligor, including but not necessarily limited to those instances in which the child or other person is receiving Aid to Dependent Children, Aid to Families with Dependent Children or has otherwise made application for collection services through the Department pursuant to Title IV-D of the Social Security Act and amendments thereto; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

By Senator Ellis:

S. 390. To grant to the Alabama Court of Civil Appeals the power to hire additional staff attorneys.

By Senator Ellis:

S. 389. To grant to the Alabama Court of Civil Appeals the power to administer oaths, take affidavits, or acknowledgements.

By Senators Cabaniss and Bedsole (With Substitute):

S. 242. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage

or security and to provide criminal sanctions for violating the provisions of this Act.

By Senator Barron:

S. 248. To provide in addition to benefits now received, a fixed cost-of-living increase to all surviving beneficiaries of members of the Employees' Retirement System of Alabama who became eligible for such benefits prior to October 1, 1984, however, no survivor beneficiary of an employee under the Employees' Retirement System whose benefits are based primarily upon service as an employee of an employer participating under Section 36-27-6, Code of Alabama 1975, shall be entitled to receive said increase unless the employer by which he was employed elects to come under the provisions of this act; to provide that any person whose eligibility to receive Medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase; and to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama.

By Senators Foshee, Smith (J), Dixon, Holmes, and Barron (With Amendment):

S. 33. To amend Sections 34-9-1, 34-9-9, 34-9-11, 34-9-17, 34-9-18, 34-9-22, 34-9-25, 34-9-26, 34-9-27, 34-9-29, 34-9-41, and 34-9-43 of the Code of Alabama 1975, relating to dentists and dental hygienists, so as to regulate further the practice of dentistry and dental hygiene; to regulate further the Board of Dental Examiners; to regulate the administration of anesthesia by dentists; and to provide sanctions.

By Reps. White (L), Beasley, Butler, Mikell, and Johnson (RG):

H. 194. To amend Sections 34-23-30, 34-23-32, 34-23-50, and 34-23-52, Code of Alabama 1975, which provide license fees established by the board of pharmacy, so as to provide further for said fees.

By Rep. Clark (J):

H. 450. To amend H. 9, enacted as Act No. 85-125, enacted at the First Special Session of the 1985 Alabama Legislature, which amended various provisions of Chapter 2 of Title 14 of the Code of Alabama 1975 relating to the Alabama Corrections Institution Finance Authority, in order to authorize the Authority to sell its bonds by private sale; and to permit bonds of the Authority to be sold with a maximum term of 30 years.

By Reps. Clark (J), Harper, and Turner:

H. 344. To amend certain sections of Chapter 9, Article 11, of Title 41 of the Code of Alabama 1975 to provide that the executive committee of the commission may not be empowered to execute any contract for an amount in excess of \$100,000.00; to provide that the commission offer to its employees any benefits offered to employees of the state of Alabama; to provide that the commission shall establish, operate and maintain a state memorial park to honor Alabamians who participated in all armed conflicts of the United States; and to provide that the \$50,000.00 outstanding indebtedness to the Alabama State Docks Department be forgiven.

By Senator Amari:

S. 503. To provide that the Probate Court shall have authority and the duty to appoint any suitable person or agency, public or private, including a private association or non-profit corporation as a guardian, for a developmentally disabled person.

REGULAR SESSION
27th Day

1425

By Senators Aldridge, Hilliard, Smith (J), Holmes, Bedsole, Parsons, Figures, Drinkard, Denton, Amari, Bennett, Bailey, deGraffenried, Covington, Foshee, and Cabaniss:

S. 26. To amend Section 22-2-4 and Section 22-2-10, Code of Alabama 1975, so as to provide for the payment of per diem, subsistence, and mileage to the members of the State Committee of Public Health.

By Senator Aldridge:

S. 374. To amend §11-94-15 of the Code of Alabama 1975, as amended, so as to authorize any county or municipality of the State of Alabama and any other political subdivision, public corporation, agency or instrumentality of said State of Alabama or of any such county or municipality (1) to lend or donate money or perform services for the benefit of any public corporation organized pursuant to the provisions of Chapter 94 of Title 11 of the Code of Alabama 1975, as amended, (2) without the necessity of an election, to donate, sell, convey, transfer, lease or grant to any such public corporation any property of any kind, and (3) to do any and all things not prohibited by said Chapter 94 or otherwise by law that are necessary or convenient to aid and cooperate with any such public corporation.

By Senator Aldridge (Constitutional Amendment):

S. 473. Proposing an amendment to the Constitution of Alabama, 1901, relating to school district tax for the City of Hartselle, Morgan County, which shall become valid as a part of the Constitution when all requirements of Amendment 425 of the Constitution of Alabama of 1901 are fulfilled.

By Reps. Turnham and Cosby (With Amendment):

H. 600. To create the Alabama Manufactured Housing Commission; to express legislative intent to relieve the fire marshal division of the insurance department of certain duties; to provide for the functions, duties, powers, membership, compensation, terms of office, meetings and other business of the commission; to create a special revolving fund for the commission; to authorize the commission to promulgate rules and regulations and to enter contracts and perform specific duties relative to the standards for the construction of manufactured housing and buildings; and to provide that the functions, powers, authority and duties provided by law, specifically but not limited to Sections 24-5-1 through 24-5-14, 25-5-30 through 25-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975, and all books, records, supplies, pursuant to and under the authority of the aforesaid code sections through legislative budgetary authority and duties provided by law, specifically, but not limited to: Sections 24-5-1 through 24-5-14; 24-5-30 through 24-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975, and all books, records, supplies, equipment, documents, files, papers, materials, and personnel of the fire marshal's division subject to and authorized by, or under these various code sections and related thereto shall be transferred to the commission. To provide that funds in the amount of \$110,364.00 appropriated to the fire marshal's division for fiscal year 1985-1986 for those functions and purposes enumerated in the above code sections shall be transferred and appropriated to the commission. Also transferred and appropriated to the commission are all funds received from contracts performed by the commission on or after October 1, 1985, pursuant to Section 24-5-13.1, Code of Alabama 1975, pertaining to mobile homes, manufactured housing and manufactured buildings.

By Senator Drinkard:

S. 478. To establish the Department of Corrections Agricultural Revolving Fund, to provide for its initial funding and to provide for its operation.

By Senator Drinkard:

S. 477. To amend Section 14-3-9, Code of Alabama 1975, relating to the reporting of violations of law and arrest powers by and for Department of Corrections personnel, so as to provide certain specified employees of the Department of Corrections with the same police authority as that held by a deputy sheriff or highway patrolman in the State of Alabama.

By Senator Drinkard:

S. 311. To amend Section 18-3-1, Code of Alabama 1975, which provides for acquisition of rights-of-way by private parties, so as to provide further for said acquisition.

By Rep. Hall:

H. 89. To authorize and provide for the promotion of the production, marketing, use and sale of wheat, corn, grain sorghum, and oats and wheat, corn, grain sorghum, and oats products by research, education, advertising and other methods; and prescribing a method whereby wheat, corn, grain sorghum, and oat producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for non-assessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the wheat, corn, grain sorghum, and oats producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of wheat, corn, grain sorghum, and oats throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of wheat, corn, grain sorghum, and oats; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

By Rep. Hall (Constitutional Amendment):

H. 88. To propose an amendment to the Constitution of 1901, authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of wheat and other feed grains as defined and authorized by the Legislature.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 544. Providing for the development and establishment of an incentive-based pay plan for the teachers of the public schools of Alabama; provides career incentives for public school teachers; initiating a program of performance appraisal; establishing salary progressions for education personnel; and providing for the implementation of this act.

and pending Dixon amendment to the Bedsole substitute, which said amendment and substitute are set out in the Journal of the Senate for the Twenty-Sixth Legislative Day.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 266. To provide a cost-of-living salary increase for certain state employees for the fiscal year beginning October 1, 1985 and to appropriate funds for said increase. This bill also provides longevity pay for certain state employees for each fiscal year beginning October 1, 1985.

Also:

S. 280. To amend Section 36-29-2, Code of Alabama 1975, which creates the state employees' insurance board, so as to provide further for membership on the board.

Also:

S. 614. Relating to Cullman County; To provide for the continuation of supplemental salaries and expense allowances paid from the county treasury to the person holding the office of clerk and register of the circuit court.

Also:

S. 636. Relating to Wilcox County; creating a districting commission to establish district lines for the Wilcox County Commission and Wilcox County board of education; providing for the appointment of the members of the districting commission; providing for the number of districts; providing for the composition of the Wilcox County board of education and Wilcox County Commission; and providing for election of members of the board of education and county commission from single-member districts.

Also:

S. 643. Relating to Winston County; authorizing the levy of an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

S. 680. Proposing a local self-executing amendment to the constitution for Colbert County and its municipalities for the purpose of joining with Lauderdale County and its municipalities, if Lauderdale County adopts a constitutional amendment passed at the 1985 Regular Legislative Session which is substantially identical to this proposed amendment, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities to provide for the organization, powers, functions, duties and personnel of such authority, including the authority to issue bonds and incur debt, and for the payment of expenses of the authority and for the compensation of its employees. This

proposed amendment also allows the governing body of Colbert County to levy an additional one cent tax for industrial development purposes and to provide for distribution of the proceeds.

Also:

S. 691. Providing an additional expense allowance for the members of the county commission of Coffee County, the amount of which shall be determined by the amount of certain other compensation that may otherwise be provided by law for such members.

Also:

S. 660. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ohatchee in Calhoun County.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 609. Relating to the 13th Judicial Circuit; providing for the appointments of circuit court magistrates by the circuit judges of said circuit; prescribing the duties, qualifications and compensation of such magistrates; and providing that the Mobile County Commission shall provide certain facilities, and moneys for compensation and expenses of such magistrates.

Also:

S. 584. To provide for a supplemental appropriation to the Department of Agriculture and Industries from the agricultural fund for the period ending September 30, 1985, in the amount of \$400,000.

Also:

S. 23. To create and establish a Military Department Billeting Revolving Fund; to provide for a one-time appropriation to establish said fund; to provide for the methods of expending such funds for billeting purposes; to provide for the promulgation of procedures concerning operation of said billeting revolving fund by the Adjutant General; to provide for the collection of charges for such billeting so as to reimburse and replenish said revolving fund; and to provide that monies remaining in the Military Department Billeting Revolving Fund at the end of any fiscal year shall be encumbered and carried over from year to year.

**REGULAR SESSION
27th Day**

1429

Also:

S. 240. To amend Section 36-22-63, Code of Alabama 1975, relating to the purchase of prior service credit for participation in the supernumerary sheriff's program, so as to extend the time within which such a purchase may be made.

Also:

S. 585. Relating to Mobile County; to amend further Section 1 of Act No. 111, H. 419, Regular Session 1955 (Acts 1955, p. 356), which relates to the salary of the tax collector, so as to provide further for such salary.

Also:

S. 681. Proposing a local self-executing amendment to the constitution for Lauderdale County and its municipalities for the purpose of joining with Colbert County and its municipalities, if Colbert County adopts a constitutional amendment passed at the 1985 Regular Legislative Session which is substantially identical to this proposed amendment, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities to provide for the organization, powers, functions, duties and personnel of such authority, including the authority to issue bonds and incur debt, and for the payment of expenses of the authority and for the compensation of its employees. This proposed amendment also allows the governing body of Lauderdale County to levy an additional one cent tax for industrial development purposes and to provide for the distribution of the proceeds.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, and pending Bedsole substitute. The question was on the Dixon amendment to the substitute.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 893. Relating to Perry County; creating a districting commission to establish district lines for the Perry County Commission and Perry County board of education; providing for the appointment of the members of the districting commission; providing for the number of districts; providing for the composition of the Perry County board of education and Perry County

Commission; and providing for election of members of the board of education and county commission from single-member districts.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, and pending Bedsole substitute. The question was on the Dixon amendment to the substitute.

RECESS

At 5 o'clock P.M., on motion of Senator Dial, the Senate took a recess until 6 o'clock P.M.

The recess period having expired, at 6 o'clock P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, and pending Bedsole substitute. The question was on the Dixon amendment to the substitute.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Rogers (With Notice and Proof):

H. 1010. Relating to Jefferson County; to amend further Section 3 of Act No. 248, H. 580, 1945 Regular Session (Acts 1945, p. 376), pertaining to Personnel Boards of certain counties classified on a population basis, so as to provide further for the compensation of board members and the chairman for attendance of meetings of the board and for attendance upon trials or hearings.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1010, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Burke (With Notice and Proof):

H. 1028. Relating to DeKalb County; authorizing the county governing body to levy a tax on tobacco products.

REGULAR SESSION
27th Day

1431

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1028, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Dutton (With Notice and Proof):

H. 1039. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of North Courtland in Lawrence County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1039, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Dutton (With Notice and Proof):

H. 1043. Relating to Lawrence County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Courtland to cause areas East of and contiguous to existing corporate limits to be included within the town.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1043, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Penry and McMillan (With Notice and Proof):

H. 1064. Relating to the compensation of the sheriff of Baldwin County; repealing conflicting laws; and providing for an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1064, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Ford, Junkins, and Bugg (With Notice and Proof):

H. 1065. Relating to the Sixteenth Judicial Circuit; providing for supplemental allowance, payable from the county general fund, for the circuit clerk of such circuit; and repealing conflicting laws, relating to the compensation of the circuit clerk of the said judicial circuit; providing that such allowance shall be calculated on a certain percentage of the state compensation for such official; and providing for an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1065, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Laird (With Notice and Proof):

H. 1067. Relating to Randolph County; providing for the county commission to reimburse the office of probate judge or license commissioner for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1067, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 1010—to the Committee on Local Legislation No. 2

H. B.'s 1028, 1039, 1043, 1064, 1065, and 1067—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment.

By Rep. Laird:

H. 920. To authorize and make provision for the incorporation in any City in the State of Alabama of a Downtown Redevelopment Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of any such City; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived

from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the State; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for the state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive

bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds; to provide for the reincorporation of, and to validate the acts of, certain authorities previously established; to provide that the provisions of this Act are cumulative and severable and to provide for an effective date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 920—to the Committee on Buildings and Grounds

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 122. To provide full-time educational support personnel with personal leave days.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 140. To further amend Section 40-23-4, Code of Alabama 1975, as last amended relating to sales tax exemptions so as to repeal a certain partial exemption on the payment of such tax for certain blind vendors; to further amend Section 40-23-5, Code of Alabama 1975, relating to exemptions from certain, state, county, and municipal sales and use taxes, so as to include certain blind vendors.

Also:

S. 212. To provide in addition to benefits now received, a retirement cost of living increase to all persons retired under the Teachers' Retirement System of Alabama and certain persons retired under the Employees' Retirement System of Alabama prior to October 1, 1984, provided that any person whose retirement under the Employees' Retirement System is based on service to a local board of education or a state supported institution of higher education who participated pursuant to §36-27-6, shall be entitled to the increase provided herein to provide that any person whose eligibility to receive Medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase; and to provide for the funding of the increases granted and the repeal of conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 637. To amend Section 16-48-12, Code of Alabama 1975, which provides for the duties of the police officers at Auburn University, so as to provide further for the powers of said officers.

Also:

S. 695. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

Also:

S. 705. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores in Baldwin County.

Also:

S. 706. To alter, rearrange and extend the boundary lines and corporate limits of the town of Orange Beach in Baldwin County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Coleman, Newman, Junkins, White (L), Burke, Hall, and Lindsey:

H. 199. To provide for an assignment to the Department of Pensions and Security of the right to any support owed to or for a child in the custody of the department and receiving foster care or receiving foster care maintenance payments; to authorize the department to bring actions to establish or enforce a support obligation; to provide that a support obligation may be ordered at the time custody is granted to the department; and to provide that the department may collect and distribute support.

Also:

By Rep. Biddle:

H. 877. Relating to the practice of veterinary medicine and surgery in Alabama; to provide for the issuance, suspension, revocation and renewal of licenses for persons admitted to or engaged in the practice of veterinary medicine as a veterinarian or veterinary technician; to create the Alabama State Board of Veterinary Medicine to administer the act; to provide for its organization, officers, jurisdiction, powers and duties; to provide for certain inspections of facilities and the issuance of premise permits; to provide for hearings and appeals; to impose fees and charges and provide for the use of such; to prescribe penalties; and to repeal conflicting laws and to specifically repeal Sections 34-29-1 through 34-29-6, 34-29-20 through 34-29-23 and 34-29-40 through 34-29-46 of the Code of Alabama 1975.

Also:

By Rep. Perdue:

H. 1037. To provide for the authorization by the county governing body and the creation in any county or counties in Alabama of a public corporation for the purposes of flood control in circumstances affecting urban areas of any one or more counties in Alabama to be known as the (name of county) Flood Control Authority with its principal office to be located in the county seat of such county; to provide for a board of directors, prescribe the method of their appointment, and the powers and duties of such authorities, including the employment of personnel, attorneys, engineers, consultants and other staff; to provide that debts of such authority shall not be debts of the state, county or any municipality therein; to authorize state, county and municipal appropriations to such authorities; and to authorize such authorities to receive federal, state and local government grants.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 199—to the Committee on Rules

H. B. 877—to the Committee on Agriculture, Conservation, and Forestry

H. B. 1037—to the Committee on Health and Welfare

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Fuller:

H. 247. To amend Section 12-13-33, Code of Alabama 1975, so as to provide for an increase in the amount of the bond of probate judges.

Also:

By Rep. Onderdonk:

H. 290. Relating to the regulation of the production of oil and gas in this State; to amend Sections 9-17-1 and 40-20-1, Code of Alabama 1975, to define oil and gas terms; to amend Section 9-17-6, Code of Alabama 1975, relating to the powers and duties of the State Oil and Gas Board; to amend Section 9-17-7, Code of Alabama 1975, to authorize the State Oil and Gas Board to delegate power and authority to a hearing officer; to amend Section 9-17-12 and Section 9-17-13, Code of Alabama 1975, to eliminate the requirement that the State Oil and Gas Board shall settle disputes relative to well costs; to amend Section 9-17-32, Code of Alabama 1975, to provide for fines for violations of the rules, regulations, or orders of the State Oil and Gas Board.

REGULAR SESSION
27th Day

1437

Also:

By Reps. Blakeney, Johnson (Roy), Coleman, Blake, Hall, Carter, Warren, Hooper, and Mikell:

H. 372. To provide that certain war veterans shall be entitled to a distinctive auto license plate; to provide for the distribution of said tag; and to provide that said tag shall be issued free of all fees and taxes.

Also:

By Rep. Smith:

H. 435. To amend sections 36-21-68, 36-21-71, 36-21-74, and 36-21-76 of the Code of Alabama 1975, relating to the Alabama Peace Officers' Annuity and Benefit Fund, so as to eliminate purchasing of past service by new members of the fund; and to provide further for disability benefits and continued membership.

Also:

By Reps. Tanner and Onderdonk:

H. 934. To amend Section 12-12-70, Code of Alabama 1975, which section relates to appeals from district courts to provide for the dismissal of such appeals in certain instances; to provide for an appearance bond on such appeals and procedures for its forfeiture; to provide for the collection of fines and costs, and to provide for the place of commitment where the sentence of the circuit court includes a term of imprisonment.

Also:

By Rep. Holley:

H. 948. To provide for a supplemental appropriation to the State Health Planning Agency from the State General Fund for the period ending September 30, 1985, in the amount of \$202,000.

Also:

By Rep. Holmes:

H. 983. To amend Act No. 705, Regular Session, Alabama Legislature, 1978, so as to correct two misspelled words and so as to provide that the Official Grand Jury Reporter for the Fifteenth Judicial Circuit be entitled to receive transcript fees and other pecuniary benefits afforded official court reporters in the Fifteenth Judicial Circuit.

Also:

By Rep. Buskey (James):

H. 1045. To amend Sections 32-3-41 and 37-4-23, Code of Alabama 1975 relating to payment of inspection and supervision fees paid by utilities and transportation companies so as to provide that such utilities and transportation companies with gross intrastate receipts in excess of \$60,000,000.00 per calendar quarter be required to pay inspection and supervision fees based upon such quarter rather than the preceding fiscal year.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 247—to the Committee on Rules

H. B.'s 290 and 435—to the Committee on Buildings and Grounds

H. B.'s 372 and 1045—to the Committee on Commerce, Transportation,
and Utilities

H. B.'s 934 and 983—to the Committee on Judiciary

H. B. 948—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hall and Hettinger:

H. 90. To amend section 40-18-100 and 40-18-102 of the Code of Alabama 1975, which provide for the offset of state tax refunds to satisfy debts owed the Alabama department of pensions and security, so as to provide for the offset of refunds to satisfy child and/or spousal support debts owed any individual being served by the department of pensions and security pursuant to the requirements of Title IV-D of the Social Security Act.

Also:

By Reps. Rogers, Boles, Perdue, McNair, Hall, Johnson (Roy), Pratt, Clark (J), Richardson, Crow, Spratt, Mitchell, Moore, Grayson, Goodwin, Clark (D), Starkey, Lauderdale, Parker, Bugg, Newman, Junkins, Ford, Newton, Escott, Melton, Rains, Smith, White (G), Bowling, Coburn, Davis, Holley, Butler, Carter, Burke, Tanner, Trammell, Gray, Bachus, Hettinger, Brakefield, Harvey, Brooks, Dutton, Coleman, Laird, Fuller, White (L), Nicholson, Browder, Buskey (John), Thomas, Biddle, Warren, White (F), Sasser, Preuitt, Beasley, McMillan, Faulk, Mathis, Onderdonk, Bryant, Venable, Starr, Carothers, Flowers, Blakeney, Black, Hooper, Gaston, Kvalheim, Clark (W), Buskey (James), Zoghby, and Kennedy:

H. 802. To provide that whenever any charitable, educational, non-profit or other organization solicits funds from the general public, that a certain percentage of said funds so received must actually be paid over to the organization on whose behalf the funds were solicited; to provide that the office of the attorney general shall enforce the provisions of this act and shall have the power to promulgate rules and regulations and to require the filing of such reports, under oath, as deemed necessary to carry out the provisions of this act; providing penalties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B. 90—to the Committee on Judiciary

H. B. 802—to the Committee on Consumer Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Lindsey (With Notice and Proof):

H. 1069. To impose a filing fee of Two (\$2.00) Dollars on certain instruments, documents, and papers filed for record in the office of the Probate Judge of Cherokee County, the funds collected therefrom to be used exclusively for the funding of the mental health program in Cherokee County.

I hereby certify that this Notice & Proof is attached to the Bill, H. B. 1069, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1069—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Albright, Grayson, and Hettinger:

H. 1014. To propose an amendment to the Constitution of Alabama of 1901 to repeal certain exemptions authorized by law on that portion of any local ad valorem taxes levied in Madison County that upon collection is earmarked for public school purposes.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1014—to the Committee on Local Legislation No. 1

(The above numbered Bill, H. B. 1014, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. Kvalheim, Gaston, Harper, Marietta, McMillan, and Kennedy:

H. 532. To prohibit public and private motor vehicle carriers from transporting hazardous or flammable materials through tunnels; to provide for jurisdiction of certain law enforcement officers; and to provide penalties for violations.

Also:

By Reps. Faulk and Martin:

H. 583. To amend section 11-50-1.1, Code of Alabama 1975, which prohibits municipalities from acquiring or duplicating services of certain waterworks systems, so as to also prohibit public corporations or entities created or operating pursuant to sections 11-50-230 through 11-50-241, Code of Alabama 1975, specifically, and chapter 50 of Title 11, Code of Alabama 1975, generally, from so acquiring or duplicating such services.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 532 and 583—to the Committee on Commerce, Transportation, and Utilities

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. White (L), Ford, Coleman, and Hall:

H. 685. To provide that a court of this State may require an obligor to post bond, give security, or give some other guarantee to secure the payment of overdue support.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 685—to the Committee on Judiciary

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

The hour of midnight having arrived, and pending further consideration of H. B. 544, the Senate adjourned until Wednesday, May 8, 1985, at 10 o'clock A.M.

TWENTY-EIGHTH LEGISLATIVE DAY

WEDNESDAY, MAY 8, 1985

The Senate met pursuant to adjournment, President Pro Tempore Teague presiding.

PRAYER

The Session was opened with prayer by Mr. Henry D. Alford, Deacon, Woodley Baptist Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Lisa Williams, Mary G. Montgomery High School, Semmes, Alabama.

ROLL CALL

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Seventh Legislative Day was approved by the Senate.

UNFINISHED BUSINESS
BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 544. Providing for the development and establishment of an incentive-based pay plan for the teachers of the public schools of Alabama; provides career incentives for public school teachers; initiating a program of performance appraisal; establishing salary progressions for education personnel; and providing for the implementation of this act.

and pending Dixon amendment to the Bedsole substitute, which said amendment and substitute are set out in the Journal of the Senate for the Twenty-Sixth Legislative Day.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 122. To provide full-time educational support personnel with personal leave days.

Also:

S. 140. To further amend Section 40-23-4, Code of Alabama 1975, as last amended relating to sales tax exemptions so as to repeal a certain partial exemption on the payment of such tax for certain blind vendors; to further amend Section 40-23-5, Code of Alabama 1975, relating to exemptions from certain state, county, and municipal sales and use taxes, so as to include certain blind vendors.

Also:

S. 212. To provide in addition to benefits now received, a retirement cost of living increase to all persons retired under the Teachers' Retirement System of Alabama and certain persons retired under the Employees' Retirement System of Alabama prior to October 1, 1984, provided that any person whose retirement under the Employees' Retirement System is based on service to a local board of education or a state supported institution of higher education who participated pursuant to §36-27-6, shall be entitled to the increase provided herein to provide that any person whose eligibility to receive Medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase; and to provide for the funding of the increases granted and the repeal of conflicting laws.

Also:

S. 637. To amend Section 16-48-12, Code of Alabama 1975, which provides for the duties of the police officers at Auburn University, so as to provide further for the powers of said officers.

Also:

S. 695. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

Also:

S. 705. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores in Baldwin County.

Also:

S. 706. To alter, rearrange and extend the boundary lines and corporate limits of the town of Orange Beach in Baldwin County.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, and pending Bedsole substitute. The question was on the Dixon amendment to the substitute.

MOTIONS IN WRITING

Senator Smith (B) offered the following Motion in Writing, to-wit:

I ask to carry over H. B. 544 to the 30th Legislative Day.

Senator Corbett offered the following Motion in Writing, to-wit:

Move to table the motion to carry H. B. 544 over until the 30th Legislative Day.

Which was adopted.

Yeas 14; Nays 13.

Yeas:

Senators:	Cooley	Goodwin	Parsons	
Aldridge	Corbett	Holmes	Strong	
Bedford	Denton	Langford	Teague	
Bennett	Foshee	Menton		—14

Nays:

Senators:	Covington	Ellis	Mitchem	
Bailey	deGraffenried	Hand	Smith (B)	
Bedsole	Dial	Little	Smith (J)	
Cabaniss	Dixon			—13

Senator Corbett then offered the following Motion in Writing, to-wit:

Move to table the Dixon amendment No. 1 to H. B. 544.

Which was adopted.

Yeas 16; Nays 15.

Yeas:

Senators:	Corbett	Holmes	Parsons
Aldridge	Foshee	Horn	Sanders
Amari	Goodwin	Langford	Strong
Bennett	Hilliard	Menton	Teague
Cooley			

—16

Nays:

Senators:	Bishop	Dial	Little
Bailey	Cabaniss	Dixon	Mitchem
Bedford	Covington	Ellis	Smith (B)
Bedsole	deGraffenried	Hand	Smith (J)

—15

Senator Corbett then offered the following Motion in Writing, to-wit:

Move to table the Bedsole substitute to H. B. 544.

POINT OF ORDER

Senator Bedsole requested that the Journal show that while she was speaking to her substitute, the Chair would not allow her to offer an amendment.

FURTHER CONSIDERATION OF MOTION IN WRITING

The Senate proceeded to further consideration of the Motion in Writing offered by Senator Corbett that the Bedsole substitute for the Bill, H. B. 544, be laid on the table.

Which was adopted.

Yeas 17; Nays 13.

Yeas:

Senators:	Cooley	Goodwin	Parsons
Aldridge	Corbett	Holmes	Sanders
Barron	Denton	Horn	Strong
Bedford	Figures	Langford	Teague
Bennett	Foshee		

—17

Nays:

Senators:	Covington	Ellis	Mitchem
Bedsole	deGraffenried	Hand	Smith (B)
Bishop	Dial	Little	Smith (J)
Cabaniss	Dixon		

—13

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544.

Senator Dial offered the following amendment to the Bill, H. B. 544, to-wit:

AMENDMENT TO H. B. 544

Amend H. B. 544, p. 25, lines 25 and 26 by striking the words "Before Phase II of the Career Incentive Program can be implemented," and substituting therefor the following:

"There shall be held, on the date of the general election to be held in November 1986, in each county of the State an election on the question of

implementation of Phase II of the Career Incentive Program by the school system or systems operating within that county. If a majority of a county's qualified electors participating in such election vote for the implementation of Phase II of the Career Incentive Program within that county, the school system or systems operating in that county shall be declared through proclamation by the Governor to be eligible for implementation of Phase II of the Career Incentive Program, a copy of which proclamation shall be forwarded by the Governor to each house of the Legislature. In the event a majority of said electors of a county vote against implementation of Phase II of the Career Incentive Program within said county, Phase II shall not be implemented by the school system or systems within that county, provided, however, that in such event and if school systems in counties in the State having in the aggregate 65% or more of the public school students in the State (as of the 1985-86 school year) shall have been proclaimed eligible for implementation of said Phase II pursuant to the results of the elections held on the date set forth above, a subsequent election may be held in said county on the question of implementation of said Phase II upon petition to the Governor signed by at least 35% of the qualified electors of such county and presented to the Governor not later than January 31, 1987, pursuant to which petition a proclamation of special election setting such subsequent election in said county for a date not later than the Tuesday preceding the last day of March 1987 shall be issued by the Governor. If a majority of a county's qualified electors participating in such subsequent special election shall vote for the implementation of Phase II, the Governor shall declare the system or systems in that county eligible for implementation of Phase II as set forth above. The costs of all elections held pursuant to this section shall be paid by the State out of the Special Educational Trust Fund, for which purpose so much as shall be necessary therefor is hereby appropriated. Notice of such elections shall be given by publication in a newspaper published in the county in which any election herein provided for is to be held once a week for three successive weeks, the first publication to be made at least 30 days before the election, which notice shall state the purpose for which the election is to be held, the time and places for holding the same, and shall be signed by the probate judge or chairman of the county commission or by such other person as the governing body of the county may designate. If no newspaper is published in the county the notice must be posted in five public places in the county at least 30 days before the time of holding the election. The ballot used at such election shall be prepared by the probate judge under the direction of the Secretary of State and shall be in such form as may not be inconsistent with the Constitution of Alabama. The probate judge, the circuit clerk, and the sheriff of the county in which an election is being held under this section shall appoint three managers, two clerks and one returning officer to conduct the election in the county, and said managers shall all reside in the county where they are appointed to serve and shall be qualified electors of the county at the date of said election. The sheriff shall notify the managers and returning officers of their appointments and shall send out the boxes and ballots to the beats and precincts within the county promptly. The clerk of the circuit court, the probate judge and the sheriff of the county in which an election is being held under this article shall constitute a board to canvass the returns and declare the results of such election, and they shall meet for such purpose at the courthouse of the county in which the election is to be held on the Saturday following the holding of said election, and in case either of the three should be absent, the two present shall act. Such results shall be promptly thereafter forwarded to the Governor and to the affected local school board or boards in the county. A contest of any election held under this section may be made by

any qualified elector of the county by executing a bond, with sufficient surety, to be approved by the judge of probate of the county, for the payment of the costs of the contest. Notice of the contest shall be served on the county attorney of the county in which the contest is instituted and said county attorney shall respond in the name of the county and the county shall be contestee. In all courts said contest shall be a preferred case. No civil action shall be commenced to test the validity of any election held hereunder unless the said civil action is commenced within 40 days from the date of said election.

Phase II of the Career Incentive Program shall be implemented within the eligible counties of the state (i) when school systems within counties in the State having in the aggregate at least 65% of the public school students in the State, as of the 1985-86 school year, shall be declared by the Governor to be eligible for participation in Phase II, and (ii) when"

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 121. To further amend Section 29-1-19.1, Code of Alabama 1975, as last amended, relating to certain streets adjacent to the capitol building under the control of the legislature, so as to extend such areas to include certain streets and parking surrounding the Alabama State House owned by the State of Alabama, exclusive of rights-of-way or parking facilities now controlled by the city of Montgomery.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544. The question was on the amendment offered by Senator Dial.

MOTION IN WRITING

Senator Bennett offered the following Motion in Writing, to-wit:

I move to table the Dial amendment to H. B. 544.

Which was adopted.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544.

Senator Little offered the following substitute for the Bill, H. B. 544, to-wit:

SUBSTITUTE FOR H. B. 544

A BILL TO BE ENTITLED AN ACT

Providing for the development and establishment of pilot programs for incentive-based pay plans for the teachers of public schools of Alabama;

providing for pilot career-incentive programs for public school teachers; initiating pilot programs of performance appraisal; and providing for the implementation of these pilot programs.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Short Title. This act shall be known as the Alabama Performance-Based Career Incentive Program Act.

Section 2. Statement of Purpose. The purpose of the Alabama Performance-Based Career Incentive Program is to establish pilot career incentive programs for public school teachers; initiate pilot programs of performance appraisal; and provide for the implementation of these pilot programs.

Section 3. Definitions. Wherever used within this act, the following words shall have the meanings as stated in this Section unless the context of the act clearly indicates otherwise.

a. Appraisal. A formal judgement by a trained evaluator of an individual's performance and the level of quality of that performance.

b. Appraisal Instrument. The formal, written device containing categories of behavior and levels of performance utilized by the evaluator when evaluating education personnel.

c. Approved Professional Development Program. A professional development program approved by the employing local school board and the State Superintendent of Education.

d. Commission. The Governor's Education Reform Commission as established in Section 16-6A-5, Code of Alabama, 1975.

e. Days. Days shall mean working days to the exclusion of weekends and holidays.

f. Evaluator. A professional education employee who has been trained in methods of observation, appraisal, and interaction for the purpose of providing formal appraisal of performance of educational employees in local school systems.

g. Local School Board. County and City boards of education, and the governing board of the Alabama Institute for Deaf and Blind and the Department of Youth Services School District.

h. Performance. The carrying out of established tasks and activities as prescribed to the various classifications of educational employees.

i. Pilot Programs. The State Prescribed Incentive Pay Plan and three other plans to be selected by the State Board of Education from proposals submitted by local school boards.

j. Professional Certificate. The certificate issued to professional staff who possess or previously achieved tenure in a local school system within the State of Alabama or out-of-state teachers who have achieved tenure in any state where they may have worked or who have a minimum of five years of teaching experience.

k. Provisional Certificate. A three-year certificate issued to persons who have completed all requirements for initial certification as established by the State Board of Education.

l. State Prescribed Incentive Pay Plan. A performance-based pay and appraisal plan as described herein which shall serve as one of four pilot programs.

m. Teaching Duties. Teaching duties shall encompass all professional activities which require professional certification by the State Board of Education at the local school level with the exception of the principal and assistant principal.

n. Written Notice. Requires written notice by U.S. Postal Service registered mail.

o. Approved Evaluator. An approved evaluator is a staff member who has undergone State Department of Education training relative to conducting the evaluation process of the incentive pay program and has been properly approved by the State Superintendent of Education.

p. Teacher. Teacher shall include all professional personnel whom the State Board of Education requires to hold a provisional or professional certificate with the exception of the principal and assistant principal. This definition shall include but not be limited to librarians, counselors, boy and/or girl advisors, coaches, vocational education coordinators, psychometrists and such others whom the State Board may require to be certified. In any instance where a person is required as a part of his or her job responsibilities to evaluate other teaching or instructional personnel, such person shall be an administrator/supervisor and shall not be classified as a teacher.

Section 4. Governor's Educational Reform Commission. Nothing contained herein shall be construed as increasing, decreasing or otherwise modifying the Governor's Educational Reform Commission as established in Section 16-6A-5, Code of Alabama, 1975, as amended.

Commencing with the 1985-86 school year, Phase I of the Alabama Performance-Based Career Incentive Program Act, which includes Sections 5, 6, 7 and 8 of this act, will be implemented in three local school systems to be selected by the State Board of Education. Commencing with the 1985-86 school year, three additional pilot programs for incentive-based pay will be developed and implemented by three local school systems. These three additional pilot programs shall be selected by the State Board of Education from proposals submitted by local school boards.

Section 5. Appointment of Working Committee.

a. There is hereby created a Working Committee of the Commission which shall be appointed in accordance with this act and which shall have completed its operational activities by July 1, 1987. The Working Committee shall devise an appraisal program consistent with the provisions of this act. The committee will consist of 35 members.

Five members of the committee shall be appointed by the Governor, three of whom must be classroom teachers and two of whom must be elementary/secondary school administrators. The Governor shall appoint the chair and vice chair of the working committee from the membership of the committee.

Fifteen of the members shall be public school teachers and appointed by the Executive Secretary of the Alabama Education Association; fifteen of the members shall be appointed by the State Superintendent of Education from any of the following groups: local school superintendents, principals,

supervisors, lay public, business and industry and parents and teachers associations. Any vacancies that occur after the original appointment shall be filled by appointment from the constituency in which the vacancy occurred.

b. The members of the committee shall be appointed by June 1, 1985. No later than the fifth working day after the appointment of all committee members as specified in Section 5(a), the Governor shall call the first meeting of the Working Committee; the committee shall begin deliberations. Later meetings shall be called by the chair, or by the vice chair in the chair's absence, or at the written request of 12 of the members. A minimum of 7 days notice shall be given all committee members prior to any meeting. The committee expenses shall be paid from funds available for this purpose and at prevailing rates allowed by state rules and regulations. Consultant expenses shall be paid from funds available for this purpose according to a schedule to be established by the State Board of Education.

c. Responsibility for fiscal operation of the committee and any accompanying activities shall rest with the Executive Director of the Governor's Educational Reform Commission, who shall submit claims for all authorized expenses to the State Superintendent of Education for payment.

d. Organizations or persons responsible for appointment of members of the Working Committee and evaluators shall insure equitable representation by minority groups.

Section 6. Appointment and Functions of Appraisal Review Committee. There is hereby created an Appraisal Review Committee which shall react to and provide input on all activities of the Working Committee. The Appraisal Review Committee shall consist of the following membership:

a. The State Superintendent of Education and the Executive Secretary of the organization representing the majority of teachers, who shall serve as co-chairs of the Appraisal Review Committee.

b. One elementary, one middle school/junior high school and one secondary professional teacher, to be chosen from each local school district by a majority vote of the professional educators employed in each local school system.

c. Each superintendent of each local school board or the superintendent's designee.

d. One principal or supervisor from each local school system to be selected by principals and supervisors in such system.

e. Twenty persons, 10 each to be appointed from the membership of the Alabama Association of School Boards and the Board of Directors of the Alabama Congress of Parents and Teachers and to be chosen respectively by said Boards.

Section 7. Responsibilities for Implementation of Performance-Based Career Incentive Program.

a. Working Committee Responsibilities. Functioning in conjunction with the Appraisal Review Committee, the Working Committee shall develop fully the appraisal program to include but not be limited to development of job descriptions as further described herein, development of the appraisal instrument, and any other matter required to fully develop the appraisal program. Job descriptions for all positions to be evaluated shall be completed no later than October 1, 1985. The appraisal instrument for each position

shall be prepared in sufficient time to be ready for use for inservice training of prospective evaluators. The committee shall insure that prior to final approval the appraisal instrument is made available on a statewide basis for review by interested parties. The committee shall establish a mechanism for discussion by and receipt of input from interested parties prior to October 1, 1985.

b. The working committee in subsection a. above shall continue in existence until June 30, 1987. The appraisal program and all instruments developed by the working committee shall be submitted to the Legislative Council for its consideration and approval. Failure of the Council to so approve will remand the documents back to the working committee which shall note the objections of the Council and shall take such steps as deemed necessary to meet the objections of the Legislative Council. Having done so, the working committee shall resubmit for approval to the Legislative Council. Upon the Council's approval, such documents and instruments as have been approved will be provided to the State Board of Education and the three local boards selected to participate in the State Prescribed Incentive Pay plan pilot program for use in implementation of the appraisal program for the 1986-87 school year. Upon the completion of the appraisal program the working committee may make such adjustments or changes in the instruments and documents as it deems appropriate subject to the same review and approval by the Legislative Council. As of July 1, 1987, upon the cessation of the working committee's existence further changes or modifications of the appraisal program shall be vested with the State Board of Education subject to the provisions of the Administrative Procedures Act.

c. State Superintendent Responsibilities. Upon completion of the Working Committee's responsibilities, the State Superintendent of Education shall take appropriate steps designed to orient all affected education employees to the State Prescribed Incentive Pay Plan. This orientation shall be structured so as to be completed no later than the end of the 1985-86 school year. The State Superintendent of Education shall take appropriate action during the 1985-86 school year as is necessary to fully train all evaluators who shall conduct or be responsible for the use of the appraisal instrument and organizing the appraisal program at the local level. Upon successful completion of training program for evaluators, the state superintendent shall issue a certificate and shall cause college curriculum for training administrators and supervisors to be modified to include appropriate content in evaluation for all new graduate degrees. The State Superintendent of Education shall insure that no later than the end of the 1985-86 school year parent and community groups are oriented to the appraisal program. The State Superintendent of Education shall make available to the Working Committee technical assistance from the State Department of Education.

d. Local School Board Responsibilities. At the commencement of the 1985-86 and 1986-87 school years, local school boards participating in the State Prescribed Incentive Pay Plan pilot program shall classify all current teachers as Probationary or Professional I teachers according to the criteria contained in this act. By October 1, 1986, local school boards participating in the State Prescribed Incentive Pay Plan pilot program shall initiate an organized and systematic program to implement this act. During the 1987-88 school year local school boards participating in the State Prescribed Incentive Pay Plan pilot program shall implement the classification system for new teachers and continue all other activities necessary to carry out the provisions of this act. In establishing the appraisal program the local school boards participating in the State Prescribed Incentive Pay Plan pilot program

in addition to assigning each school principal primary responsibility for evaluation shall also insure the following:

1. Each school system participating in the State Prescribed Incentive Pay Plan pilot program shall have an appropriate number of approved evaluators designated and trained.

2. Each school system participating in the State Prescribed Incentive Pay Plan pilot program shall have an additional approved evaluator assigned who is not a member of that school staff.

3. Each professional educator appraised is provided a time for a feedback conference regarding the appraisal and is provided access to all appraisal documents.

4. Each professional educator shall receive the appraisal results within 15 days following the appraisal.

5. Each professional educator may request and receive an additional evaluation for each semester. Such re-evaluation shall be conducted by a person other than the original evaluator.

Section 8. Classification System For Current Teachers. Current teachers are those teachers who have been employed prior to or during the 1986-87 school year. Current teachers shall be classified as follows:

a. Probationary Teachers. To achieve probationary status a current teacher must meet the following criteria:

1. Meet all State Board of Education requirements for the issuance of a regular teaching certificate;

2. Hold a regular teaching certificate; and

3. Have not achieved tenure in any public school system.

b. Professional I Teachers. To achieve Professional I status a current teacher must meet the following criteria:

1. Meet all state board of education requirements for the issuance of a regular teaching certificate.

2. Hold a regular teaching certificate.

3. Have achieved tenure in a school system in any public school system prior to or at the beginning of the 1986-87 school year.

Section 9. Expansion Of Classification Level For Current Teachers. Commencing with the 1987-88 school year, Phase II will be implemented for current teachers which include classification levels of Professional II and Master. Effective with the 1987-88 school year, teachers may be classified as Professional II; and with the 1989-90 school year, as Master teacher as follows:

a. Professional II. To achieve status as a Professional II teacher, a current teacher must meet the following criteria:

1. Have no less than eight (8) years of total service in any public school system;

2. Have no less than two (2) years of service as a Professional I teacher;

3. Have received an overall rating of excellent during the preceding year of service as a Professional I teacher; and

4. Apply for a change in classification level no later than the last day schools are in session for the school year preceding the year for which a change in classification level is sought.

b. Master. To achieve status as a Master teacher, a current teacher must meet the following criteria:

1. Have no less than thirteen (13) years of total service in any public school system;

2. Have no less than two years of service as a Professional II teacher;

3. Have received an overall rating of excellent in each of the three years of service immediately preceding the year for which change to Master teacher level is sought;

4. Hold a Master's degree or its equivalent in the teaching field as established by the State Board of Education.

5. Have demonstrated ability to:

i. assist beginning teachers in the development of professional skills and knowledge;

ii. work constructively with other professionals in such activities as curriculum development, textbook selection, evaluation of goals, administrative committees, and in-service programs; and

iii. work constructively with parents to improve the educational program for students; and

6. Apply for a change in classification level no later than the last day schools are in session for the school year preceding the year for which a change in classification is sought.

Section 10. Maintenance of Classification Level For Current Teachers. To maintain status in a classification during the 1986-87 school year and thereafter, current teachers must meet the following requirements for the classification level held.

a. Probationary Teachers. To maintain current status a probationary teacher must meet the following criteria:

1. Undergo a minimum of three (3) evaluations annually;

2. Maintain an overall rating of satisfactory performance; and

3. Satisfactorily complete each school year an approved professional development program.

b. Professional I Teachers. To maintain current status a Professional I teacher must meet the following criteria:

1. Undergo a minimum of two (2) evaluations annually;

2. Receive for any two (2) evaluations an overall rating of satisfactory performance; and

3. Successfully complete each school year an approved professional development program.

c. Professional II Teachers. To maintain status a Professional II teacher must meet the following criteria:

1. Undergo a minimum of two (2) evaluations annually;
2. Receive for any two (2) evaluations an overall rating of excellent; and
3. Satisfactorily complete each school year an approved professional development program.

d. Master Teachers. To maintain current status a Master teacher must meet the following criteria:

1. Undergo a minimum of two (2) evaluations annually;
2. Receive for any two (2) evaluations an overall rating of excellent performance; and
3. Satisfactorily complete each school year an approved professional development program.

Section 11. Time Limitations On Levels For Current Teachers.

a. Professional I Level and Above. Current teachers who achieve Professional I, Professional II or Master status may remain at these classification levels so long as the current teacher meets the requirements for maintaining the classification level held.

b. Probationary Teachers. Failure on the part of a current teacher initially classified at the probationary level to achieve Professional I status is grounds for dismissal.

Section 12. Performance-Based Career Incentive Program For New Teachers. Commencing with the 1987-88 school year there is hereby established a performance-based career incentive program for new teachers. A new teacher is any person who is not a current teacher. New teachers shall be classified commencing with the 1987-88 school year and thereafter as follows:

a. Intern Teachers. Intern teachers are new teachers who have successfully completed all requirements for the issuance of a provisional certificate.

b. Probationary Teachers. To achieve probationary status a new teacher must meet the following criteria:

1. Successfully complete one (1) year of service as an Intern teacher; and
2. Receive an overall rating of satisfactory performance on evaluations during the preceding year.

c. Professional I Teacher. To achieve status as a Professional I teacher, a new teacher must meet the following criteria:

1. Successfully complete two (2) consecutive years of service as a probationary teacher;
2. Achieve tenure in accord with the tenure laws of the State of Alabama; and

3. Receive an overall rating of satisfactory performance during each of the two (2) years of service as a Probationary teacher;

d. Professional II Teacher. To achieve status as a Professional II teacher, a new teacher must meet the following criteria:

1. Successfully complete five (5) years of service as a Professional I teacher;

2. Receive an overall rating of excellent in each of the three years of service immediately preceding the year for which change to Professional II teacher level is sought; and

3. Apply for a change in classification level no later than the last day schools are in session for the school year preceding the year for which a change in classification is sought.

e. Master Teacher. To achieve status as a Master teacher, a new teacher must meet the following criteria:

1. Successfully complete five (5) years of service as a Professional II teacher;

2. Receive an overall rating of excellent in each of the three years of service immediately preceding the year for which change to Master Teacher level is sought;

3. Hold a master's degree or its equivalent in the teaching field as established by the State Department of Education;

4. Have demonstrated ability to:

i. assist beginning teachers in the development of professional skills and knowledge;

ii. work constructively with other professionals in such activities as curriculum development, textbook selection, evaluation of goals, administrative committees, and inservice programs; and

iii. work constructively with parents to improve the educational program for students; and

5. Apply for a change in classification level no later than the last day schools are in session for the school year preceding the year for which a change in classification is sought.

Section 13. Maintenance of Classification Level For New Teachers. To maintain status in a classification, new teachers must meet the following requirements for the classification level held.

a. Intern Teacher. To maintain current status an Intern teacher must meet the following criteria:

1. Undergo a minimum of three (3) evaluations during the intern year;

2. Maintain an overall rating of satisfactory performance; and

3. Satisfactorily complete an approved professional development program.

b. Higher Classification Levels. New teachers who achieve status as a Probationary teacher, Professional I teacher, Professional II teacher or Master

teacher must meet the same maintenance of classification level requirements as are established in this act for current teachers at each classification level.

Section 14. Time Limitations On Levels For New Teachers. The following time limitations for new teachers are imposed for the following levels.

a. **Professional I Level and Above.** New teachers who achieve Professional I, Professional II or Master status may remain at these classification levels so long as the current teacher meets the requirements for maintaining the classification level held.

b. **Probationary Teachers.** Failure on the part of a new teacher to achieve Professional I status is grounds for dismissal.

c. **Intern Teachers.** Failure on the part of an Intern teacher to achieve probationary status is grounds for dismissal.

Section 15. Working Committee Responsibilities. It shall be the responsibility of the Working Committee established by this act to develop job descriptions in accordance with this act for all levels of classification for current and new teachers. The Working Committee thereafter shall develop a job-related appraisal system in accordance with this act.

a. Descriptions of Classifications.

1. **Intern Teachers.** Job descriptions for intern teachers shall be specific for the teaching position and shall provide for special inservice and professional development programs designed to assist the beginning teacher. The local board of education may assign other duties as determined necessary.

2. **Probationary, Professional I and Professional II Teachers.** Job descriptions for current and new teachers employed as Probationary, Professional I or Professional II teachers shall be specific for the teaching position and shall provide that teachers who have achieved these classification levels shall have full-time teaching duties. In addition to a requirement for full-time teaching duties, the job description shall provide that other duties as assigned by the employer and professional development activities shall be part of the job.

3. **Master Teachers.** Current or new teachers who meet all requirements for achieving the level of Master teacher shall have at the time of requesting advancement to the status of Master teacher the option of requesting one of two optional job descriptions for Master teacher. Based on the needs of the local school system, the employing local school board, upon the recommendation of the local superintendent of education, shall designate which optional job description shall be utilized.

i. **Master Teacher Option A.** Job descriptions for Master teacher Option A shall be specific for the teaching position and shall provide for full-time teaching duties, other duties as assigned by the employer, and professional development activities.

ii. **Master Teacher Option B.** Job descriptions for Master teacher Option B shall be specific for the teaching position and shall provide for a minimum of four-fifths (4/5) of the teacher's time to be spent on teaching duties. The remaining one-fifth (1/5) of the teacher's time shall be spent on other duties as assigned by the employer. Option B shall include a contract of ten (10) months. These other duties may include but are not limited to the following:

a. Assist teachers in the development of professional skills and knowledges.

- b. Develop Curriculum.
- c. Improving and/or develop instructional programs and materials.
- d. Participate in textbook selection.
- e. Develop and participate in professional development activities or other related education activities.

b. Required Competencies of Professional II Teachers. Notwithstanding the foregoing provisions of this section, commencing no later than the beginning of a teacher's third year of successful service as a Professional II teacher, the local school board shall insure that the teacher has the opportunity to demonstrate the following competencies.

1. Assist beginning teachers in the development of professional skills and knowledge.
2. Work constructively with other professionals in such activities as curriculum development, textbook selection, evaluation of goals, administrative committees, and inservice programs.
3. Work constructively with parents to improve the educational program for students.

Section 16. Development of the Appraisal Instrument.

a. In developing the appraisal instrument the Working Committee shall take into consideration that appraisal of performance must be based upon a clear understanding by all involved parties of what duties and responsibilities are required. The Working Committee shall insure that a method of documentation of performance at established intervals is developed for use by the evaluator and the staff member. The evaluation process must be comprehensive in appraising those behaviors appropriate to the job requirements. Appraisals should be utilized to identify strengths and weaknesses for purposes of personal inservice development and as a basis for constructing programs for continuing staff improvement.

b. In developing the appraisal instrument the Working Committee shall establish criteria for determining the teacher's performance which criteria shall include but not be limited to comprehensive appraisal of the following categories:

1. Planning and instructional methods.
2. Classroom management practices.
3. Competence in subject matter.
4. Instructional program evaluation and student progress.
5. Human relations skills.
6. Professional growth and development.
7. Knowledge of learning and learners.
8. Student achievement.
9. Communication Skills.

c. The Working Committee shall insure that each category contains definitive and descriptive statements of specific behaviors expected and the

degree to which each behavior must be performed in order to achieve a specific rating level. Performance expectations should reflect a realistic understanding of the particular teaching-learning environment and establish reasonable standards of behavior indicative of each level of quality. Statements in the appraisal instruments should be so constructed as to describe clearly the behavior observed and the level of quality represented.

d. The Working Committee shall establish a process through which student learning, the outcome of teaching, is examined, based on research, to determine a means of measuring the teacher's effectiveness through student achievement scores.

e. The Working Committee shall insure that the forms devised for performance appraisal are practical and easy to use by the evaluator, and are easily understood by the evaluated.

Section 17. The Evaluator.

a. The superintendent of each local school system is responsible for the evaluation of professional staff members employed in the school system. The Superintendent shall delegate to the principals the primary responsibility in carrying out the responsibilities for performance appraisal. Supervisors and assistant principals should be appropriately involved in the evaluation process. The superintendent and local board of education shall insure that sufficient personnel are available for the purpose of carrying out the appraisal program.

b. The principal shall insure that the role relationships in the appraisal process are clearly defined so that both the evaluator and those evaluated clearly understand the behaviors expected of each involved party.

Section 18. The Evaluated.

a. The appraisals should be carried out on a planned and scheduled program designed to insure that during the year the evaluated teacher receives the number of evaluations required to maintain the status which the teacher has achieved. At least one (1) appraisal shall be conducted each semester.

b. Upon request, one (1) additional evaluation shall be allowed the teacher for each evaluation required in 18 a. above.

c. Teachers whose performance has been appraised to be below the requirements to maintain the Professional II and Master Level shall be given the succeeding year as a probationary period within which to improve. Should requirements not be achieved by the end of the probationary period, the teacher will be placed in the next lower incentive level.

d. Teachers whose performance has been appraised to be unsatisfactory at the Professional I Level will be given the succeeding year as a probationary period within which to improve. Failure during the probationary period to achieve the requirements for maintaining Professional I status shall be grounds for dismissal.

Section 19. Minimum Standards. Notwithstanding any provisions of this Act, the job description and appraisal instruments to be developed by the Working Committee are intended to establish minimum standards of job performance.

Such minimum standards of job performance shall meet or exceed maximum standards presently existing in any local school system in the State of Alabama. Nothing contained in this Act shall prohibit local boards

of education from setting higher standards for performance for employees provided such standards are approved by the State Superintendent of Education and do not result in any discrimination against any individual or group of individuals for racial, political, religious or reasons of sex, and provided such local standards are evaluated separately from the provisions of this Act and provided further that employees evaluated are compensated from local funds after having met additional local standards. No state funds may be withheld from an employee for failure of the employee to meet additional local standards.

Section 20. Appeals Procedure. The following procedures are instituted to assure that teachers have available to them a reasonable appeals procedure for performance evaluations which aggrieve the teacher.

a. Local Appeal Process. If a teacher, following a conference with the first evaluator, is dissatisfied with the local evaluation and wishes to receive a second evaluation, the teacher must request a second evaluation by providing written notice to the local superintendent within 15 days after receiving the original evaluation results. Upon receipt of written notice, the local superintendent shall order a second evaluation to be conducted by a different evaluator. The local superintendent will review both evaluations and may take such steps as the local superintendent believes appropriate to assure that a fair and reasonable performance evaluation has been provided the teacher. If the teacher is dissatisfied with the local superintendent's disposition of the appeal, the teacher's appeal shall automatically be referred to the local school board for review and final local action. Upon receipt of the appeal, the local school board shall review procedures followed by the evaluators and the teacher's response to the evaluation. The local school board, after careful review, may either sustain the evaluation or reverse it based upon its determination that proper procedure was not followed. All local appeals must be concluded within 30 days following the filing of the teacher's notice of appeal, and the teacher must be provided written notice of the results of this deliberation within 15 days. Any teacher may appeal any evaluation through the local appeals process to the local school board.

b. Promotion Appeal. Any teacher who has attained professional I status or higher and has received two consecutive years of "excellent" and who during the third year immediately prior to the decision point concerning promotion to the next higher rank receives an evaluation of less than "excellent" shall be eligible to appeal.

c. Reduction In Rank Appeal. Any teacher who has attained Professional II or Master status and who has received two consecutive evaluations of less than "excellent" which may result in the teacher's being placed on probation or given a demotion in rank and pay shall be eligible to appeal.

d. Probationary Status Appeal. Any teacher who has attained Professional I status, or higher, and who has received two consecutive evaluations and is being considered for placement on probation shall be eligible to appeal.

e. Educator Performance Review/Re-evaluation Panel. There is hereby created the Educator Performance Review/Re-evaluation Panel (EPREP) which shall be comprised of the following:

1. Five persons named by the State Superintendent of Education, subject to the approval of the Executive Secretary of the Alabama Education Association (AEA).

2. Five persons named by the Executive Secretary of AEA, subject to the approval of the State Superintendent of Education.

3. Any vacancy shall be filled in the same manner as prescribed herein.

4. The member list shall be kept current and maintained in the office of the State Superintendent of Education.

The members shall serve as re-appraisers in state appeals cases under the performance program. In the case of an appeal under the state level of the appeals process, the State Superintendent of Education and the Executive Secretary of AEA shall, on a rotating basis, randomly select three potential re-appraisers from the ten-member panel. The three names shall be submitted to the local school board and local teacher, each having the opportunity to strike one name from the list, with the teacher making the first strike. The remaining person shall serve as the re-appraiser for the appeal. The re-appraiser may utilize all records relative to the case in reaching a determination.

f. Training of EPREP Members. Members of the EPREP will receive continual, intensive training designed by the State Superintendent of Education, Executive Secretary of AEA, and the Executive Director of the Alabama School Board Association. Members will be familiarized with the overall evaluation process being performed in schools and the criteria being followed by local evaluators. The State Superintendent of Education shall provide staff upon request to assist in the training. Members will be paid according to a schedule to be developed by the State Board of Education.

g. State Appeal Process. Having exhausted the local appeals process, any teacher, who as the result of his/her last evaluation is denied a promotion, placed on probation or demoted, may enter the state appeals process. The overall year's evaluation will be considered in this determination. If the teacher is dissatisfied with the local school board's disposition of the appeal, the teacher may provide written notice to the State Superintendent of Education, requesting a review of the local evaluation by the Educator Performance Review/Re-evaluation Panel within 15 days following receipt of the decision of the local board and must also provide written notice of the appeal to the local school superintendent with the same time limit. Upon such written notice to the State Superintendent of Education a reappraiser will be selected as provided in section above. Within ten (10) days of the selection of the reappraiser, the State Superintendent of Education shall notify all parties and set a date for the reappraiser's visit. The reappraiser shall within five (5) days of the visit file a report, a copy of which shall be sent to the teacher, the State Superintendent of Education, the local superintendent, the local board of education, and the Executive Secretary of the AEA. The decision of the reappraiser shall be final and binding on all parties.

h. Withdrawal Of Appeal. Nothing in this procedure shall preclude the withdrawal of an appeal by the teacher at any point in the process by written notice.

Section 21. Salary Of Education Personnel.

a. For the 1987-88 school year and thereafter there shall be established state allotment supplement ranges for Professional II and Master teachers which incorporate not less than a fiscal interval of \$5,000 between Professional I and Professional II and a fiscal interval of no less than \$6,000 between Professional II and Master teacher. At the Master level, an additional

increment of \$1,000 shall be provided for teachers who hold AA certification, and as additional increment of \$1,000 shall be paid to teachers who hold doctorate degrees.

b. In developing local school system salary schedules, local boards of education shall structure salaries for those employees who do not have teaching duties as defined in Section 3, item 1 to ensure that salary differentials are consistent with the purposes and provisions of this act.

Section 22. Other provisions of this act notwithstanding the State Prescribed Incentive Pay Plan described in Sections 5, 6, 7, 8 and 9 shall serve only as one pilot program, to be developed and implemented during the 1985-86, 1986-87 and 1987-88 school years, in three local school systems in Alabama.

a. Selection of School Systems of State Prescribed Pilot. The State Board of Education shall select three local school systems in which to implement the State Prescribed Incentive Pay Plan. The State Board shall in its selection take into consideration the racial and socio-economic factors of the local school systems in an effort to adequately reflect the various racial and socio-economic factors present in Alabama local school systems.

b. Selection of Alternate Pilot Programs. The State Board of Education shall no later than the beginning of the 1985-86 school year select in addition to those participating in the state prescribed plan three proposals from among those submitted by local school boards to be established as pilot performance-based incentive pay programs. The State Board shall in its selection take into consideration the racial and socio-economic factors of the local school systems in an effort to adequately reflect the various racial and socio-economic factors present in Alabama local school systems.

c. The above referenced six selected programs shall be implemented in their respective local school systems during the 1985-86, 1986-87 and 1987-88 school years. All local school systems shall have an equal chance to submit proposals for pilot programs of their choice.

Section 23. Nothing contained in this act shall be construed as modifying the provisions of the teacher tenure law as codified in Sections 16-24-1 through 16-24-38, Code of Alabama 1975, inclusive, as amended.

Nothing herein shall limit the right of a teacher or local board to use any evaluations in cases under the provisions of the Alabama teacher tenure law.

All appeals provided in this act shall be solely for the purpose of determination of the employee's salary under the Alabama Incentive Pay Program.

Section 24. Teachers who achieve a classification level shall remain at that classification level regardless of which local school board is the employer so long as the teacher continues to meet the maintenance of classification requirements for the classification received.

Section 25. No limit shall be placed on the number of teachers at any performance level contained in this act.

Section 26. Local Obligation. No local board of education shall be obligated to promote an employee under provisions of this act, nor to provide salary increases unless the legislature shall appropriate funds sufficient for that purpose. The legislature considers the Alabama Performance-Based

Career Incentive Program to be a state program that should be financed fully by state appropriations for state funded teacher units and those under the Alabama Minimum Program.

Section 27. The State Superintendent of Education shall submit a progress report to the Governor and legislature by January 1, 1987 on the implementation of Phase I of the State Prescribed Incentive Pay Plan and the three locally-submitted pilot programs selected by the State Board of Education. Such progress report shall include the evaluation instrument developed by the Working Committee established by this act, any administrative procedures developed by the State Department of Education and/or the Working Committee pursuant to the evaluation instrument, a summary of any training seminars and manuals developed, and the status of evaluations being conducted in each of the local school systems. The State Director of Finance shall certify to the Legislature on the first legislative day of 1987 Regular Session as to whether or not revenue is available in the projected estimates of revenue to the Alabama Special Educational Trust Fund for Fiscal Years 1987-88 through 1989-90 to implement Phase II of the State Prescribed Incentive Pay Plan. Before Phase II of the State Prescribed Incentive Pay Plan or any statewide plan can be implemented, the Legislature shall pass a new bill reaffirming its commitment to the Career Incentive Program as implemented in Phase I and affirming that sufficient funds are available to implement Phase II of the State Prescribed Incentive Pay Plan or other such plan. If such bill is not passed by the end of the 1987 Regular Session of the Alabama Legislature, Phase II of the Career Incentive Program shall not be implemented.

Section 28. The State Superintendent of Education shall cause to be compiled annually a report to be submitted to the Governor, the Legislature, the State Board of Education and to the public. This report shall be comprehensive in nature and shall identify the number of teachers by race in each local school system who during the past school year qualified for each step on the career ladder and shall project into the forthcoming school year the number of teachers by race who will be eligible for each step on the career ladder and the cost thereof. This report shall be available and disseminated each year by the time of the convening of the Interim Budget Committees of the House and Senate of the Alabama Legislature.

Section 29. Non-discrimination. It shall be the public policy of the State of Alabama that no person being evaluated under the provisions of this act shall be discriminated against based on age, sex, race, color, religion or national origin. In the event the operation of this act impacts adversely on any racial or ethnic group resulting in fewer numbers of that racial or ethnic group being placed on any of the respective steps of the career ladder than normally could be expected, the State Superintendent must take whatever action is needed to ensure that the adverse impact is eliminated.

To give force to this act, the Legislature hereby establishes a special committee to investigate violations of the provisions of this act regarding discrimination. The committee shall be composed of three (3) persons; one (1) to be appointed by the State Superintendent of Education, one (1) to be appointed by the Executive Secretary of AEA, and one (1) to be selected by the members appointed by the State Superintendent of Education and the Executive Secretary of AEA, respectively. If the two (2) persons so appointed cannot agree on a third person, the State Superintendent and the Executive Secretary of AEA shall submit three (3) names each to the Governor, who shall select one (1) person from among the six (6) names submitted.

All complaints made under this act alleging discrimination shall be filed with the State Superintendent of Education, who shall then refer said complaints to the special committee not later than thirty (30) days following receipt of the complaints. The special committee shall immediately institute its investigation and report its findings to the State Superintendent of Education not less than sixty (60) days following receipt of the complaints. The State Superintendent of Education shall act on the special committee's report not less than thirty (30) days following the receipt of the report from the special committee.

Section 30. Regulations. The Alabama State Board of Education is hereby authorized, upon the recommendation of the State Superintendent of Education, to adopt such regulations as are necessary to implement the requirements of this act.

Section 31. Severability. In the event any section, sentence, clause or portion of this act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this act.

Section 32. Public Referendum. Prior to the November, 1988, general election the State Board of Education shall select from among the three alternate pilot programs the one program it considers to be best. At the general election in November, 1988, the qualified voters of the State of Alabama by majority vote shall elect whether to: (A) to implement the State Prescribed Incentive Pay Plan; (B) to implement the pilot performance-based plan selected by the State Board of Education from among the three alternate plans; or (C) implement no performance-based pay plan. In the event the results of the referendum indicate that the voters disapprove any form of incentive-based pay plan all provisions of this act shall be null and void.

Section 33. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 121. To further amend Section 29-1-19.1, Code of Alabama 1975, as last amended, relating to certain streets adjacent to the capitol building under the control of the legislature, so as to extend such areas to include certain streets and parking surrounding the Alabama State House owned by the State of Alabama, exclusive of rights-of-way or parking facilities now controlled by the city of Montgomery.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been

publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544. The question was on the substitute offered by Senator Little.

Senator Little offered the following amendment to the substitute for the Bill, H. B. 544, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 544

Amend Little Substitute for H. B. 544 on page 8, line 23, by striking out the year "1986" after the words "October 1," and inserting in lieu thereof the year "1987".

Which was lost.

Yeas 10; Nays 13.

Yeas:

Senators:	deGraffenried	Hand	Smith (B)	
Bedsole	Dixon	Little	Smith (J)	
Cabaniss	Ellis	Mitchem		—10

Nays:

Senators:	Drinkard	Horn	Parsons	
Barron	Foshee	Langford	Strong	
Corbett	Goodwin	Menton	Teague	
Denton	Holmes			—13

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

I move to table the Little substitute for H. B. 544.

Which was adopted.

Yeas 19; Nays 13.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Aldridge	Corbett	Hilliard	Parsons	
Bailey	Denton	Holmes	Sanders	
Barron	Drinkard	Horn	Strong	
Bennett	Foshee	Langford	Teague	—19

Nays:

Senators:	Cabaniss	Ellis	Mitchem	
Amari	deGraffenried	Hand	Smith (B)	
Bedsole	Dial	Little	Smith (J)	
Bishop	Dixon			—13

RECESS

At 6:05 P.M., on motion of Senator Hand, the Senate took a recess subject to the call of the Chair.

The recess period having expired at 6:20 P.M., the Senate was called to order by the Presiding Officer. A quorum of the Senate was present.

RECESS

At 6:21 P.M., on motion of Senator Teague, the Senate took a recess until 8 o'clock P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544.

Senator Mitchem moved that further consideration of the Bill, H. B. 544, be postponed temporarily, for the purpose of receiving committee reports.

On motion of Senator Teague, the motion to postpone was laid on the table.

Yeas 16; Nays 15.

Yeas:

Senators:	Drinkard	Holmes	Parsons	
Bennett	Foshee	Horn	Sanders	
Cooley	Goodwin	Langford	Strong	
Corbett	Hilliard	Menton	Teague	
Denton				—16

Nays:

Senators:	Bedsole	Dial	Little	
Bailey	Cabaniss	Dixon	Mitchem	
Barron	Covington	Ellis	Smith (B)	
Bedford	deGraffenried	Hand	Smith (J)	—15

Senator Smith (J) offered the following amendment to the Bill, H. B. 544, to-wit:

AMENDMENT TO H. B. 544

On page 27, line 28, after the period, insert the following:

However, the provisions of this act shall become null and void on October 1, 1987, unless the legislature passes a Constitutional Amendment establishing a funding mechanism for the Career Incentive Program for teachers and said Constitutional Amendment is ratified as provided by the 1901 Alabama Constitution.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Move to table Smith (J) amendment to H. B. 544.

Which was adopted.

REGULAR SESSION
28th Day

1467

Yeas 15; Nays 14.

Yeas:

Senators:	Corbett	Hilliard	Parsons	
Aldridge	Denton	Holmes	Sanders	
Bennett	Drinkard	Horn	Strong	
Cooley	Goodwin	Langford	Teague	—15

Nays:

Senators:	Covington	Ellis	Mitchem	
Bedford	deGraffenried	Foshee	Smith (B)	
Bedsole	Dial	Hand	Smith (J)	
Cabaniss	Dixon	Little		—14

MOTION IN WRITING

Senator Cabaniss offered the following Motion in Writing, to-wit:

I move that we carry over the H. B. 544 until the 30th Legislative Day.

POINT OF PERSONAL PRIVILEGE

Senator Bailey requested the Journal show that had he responded when his name was called on the motion to table the Smith (J) amendment to the Bill, H. B. 544, he would have voted "Nay".

FURTHER CONSIDERATION OF MOTION IN WRITING

The Senate proceeded to further consideration of the Motion in Writing by Senator Cabaniss that further consideration of the Bill, H. B. 544, be postponed until the Thirtieth Legislative Day.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Cabaniss to carry over H. B. 544 to 30th Legislative Day.

Which was adopted.

Yeas 20; Nays 14.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Aldridge	Corbett	Hilliard	Parsons	
Amari	Denton	Holmes	Sanders	
Barron	Drinkard	Horn	Strong	
Bedford	Foshee	Langford	Teague	
Bennett				—20

Nays:

Senators:	Cabaniss	Dixon	Mitchem	
Bailey	Covington	Ellis	Smith (B)	
Bedsole	deGraffenried	Hand	Smith (J)	
Bishop	Dial	Little		—14

NOTICE IN WRITING

Senator Covington offered the following Notice in Writing, to-wit:

NOTICE IN WRITING

Notice is hereby given that on the next legislative day a motion will be made to amend the Senate Rules as follows:

Delete in its entirety Senate Rule 21 which reads as follows:

"Rule 21. The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour and a vote be taken on the measure. In addition thereto a petition signed by eighteen or more senators to the effect that debate on a pending measure shall cease at a certain hour and a vote be taken on the measure filed with the Secretary while the Senate is in session, shall have the same effect as a report of the Committee on Rules regarding debate. The consideration of such special rule shall not exceed thirty minutes, when a vote shall be taken thereon; and if three-fifths of the members elected shall vote to limit debate, then said rule shall have been adopted by the Senate."

Which was read and ordered spread upon the Journal.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544.

Senator Ellis offered the following amendment No. 1 to the Bill, H. B. 544, to-wit:

AMENDMENT TO H. B. 544

Amend H. 544 by inserting in Section 26, page 25, line 26, after the word "implemented," the following: "the qualified voters voting in an advisory public referendum to be held on the date of the 1986 general election shall be asked to declare their preference for implementation of Phase II, and"

Further amend H. B. 544 on line 26 by deleting the word "shall" and inserting in lieu thereof the word "may"

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Ellis amendment.

Which motion was lost.

Yeas 16; Nays 17.

Yeas:

Senators:	Corbett	Hilliard	Menton
Aldridge	Denton	Holmes	Parsons
Amari	Drinkard	Horn	Strong
Bennett	Goodwin	Langford	Teague
Cooley			

—16

Nays:

Senators:	Bishop	Dixon	Little
Bailey	Cabaniss	Ellis	Mitchem
Barron	Covington	Foshee	Smith (B)
Bedford	deGraffenried	Hand	Smith (J)
Bedsole	Dial		

—17

And said Ellis amendment No. 1 was then adopted.

Yeas 16; Nays 15.

Yeas:

Senators:	Cabaniss	Dixon	Little
Bailey	Covington	Ellis	Mitchem
Barron	deGraffenried	Foshee	Smith (B)
Bedford	Dial	Hand	Smith (J)
Bedsole			

—16

Nays:

Senators:	Cooley	Goodwin	Langford
Aldridge	Corbett	Hilliard	Parsons
Amari	Denton	Holmes	Strong
Bennett	Drinkard	Horn	Teague

—15

POINT OF PERSONAL PRIVILEGE

Senator Sanders requested that the Journal show that had his vote been recorded on the Ellis amendment No. 1 to the Bill, H. B. 544, his vote would have been recorded as "Aye".

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Teague offered the following substitute for the Bill, H. B. 544, to-wit:

SUBSTITUTE FOR H. B. 544, AS AMENDED

A BILL TO BE ENTITLED AN ACT

Providing for the development and establishment of an incentive-based pay plan for the teachers of the public schools of Alabama; provides career incentives for public school teachers; initiating a program of performance appraisal; establishing salary progressions for education personnel; and providing for the implementation of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Short Title. This act shall be known as the Alabama Performance-Based Career Incentive Program Act.

Section 2. Statement of Purpose. The purpose of the Alabama Performance-Based Career Incentive Program is to provide career incentive for public school teachers while initiating a program of performance appraisal to insure that the State of Alabama's commitment to excellence in education is carried out.

Section 3. Definitions. Wherever used within this act, the following words shall have the meanings as stated in this Section unless the context of the act clearly indicates otherwise.

a. Appraisal. A formal judgment by a trained evaluator of an individual's performance and the level of quality of that performance. Appraisal of

classroom teaching performance shall be accomplished by direct observation of the performance to be appraised.

b. Appraisal Instrument. The formal, written device containing categories of behavior and levels of performance utilized by the evaluator when evaluating education personnel.

c. Approved Professional Development Program. A professional development program approved by the employing local school board and the State Superintendent of Education.

d. Commission. The Governor's Education Reform Commission as established in Section 16-6A-5, Code of Alabama, 1975.

e. Days. Days shall mean working days to the exclusion of weekends and holidays.

f. Evaluator. A professional education employee who has been trained in methods of observation, appraisal, and interaction for the purpose of providing formal appraisal of performance of educational employees in local school systems.

g. Evaluation. For the purpose of this Act, evaluation shall consist of two component features: (a) Formative evaluation will be such informal steps as may be taken, based upon observations by administrators and supervisors, to assess teaching performance with the purpose being limited to making recommendations and suggestions designed to improve teacher effectiveness; (b) summation evaluation shall be those judgements made based upon direct observation and appraisal which shall be used to determine whether or not a teacher shall receive promotions, demotions, probation or termination.

h. Local School Board. County and city boards of education, and the governing board of the Alabama Institute for Deaf and Blind and the Youth Services School District.

i. Performance. The carrying out of established tasks and activities as prescribed to the various classifications of educational employees.

j. Professional Certificate. The certificate issued to professional staff who possess or previously achieved tenure in a local school system within the State of Alabama or out-of-state teachers who have achieved tenure in any State where they may have worked or who have a minimum of five years of teaching experience.

k. Provisional Certificate. A three-year certificate issued to persons who have completed all requirements for initial certification as established by the State Board of Education.

l. Teaching Duties. Teaching duties shall encompass all professional activities which require professional certification by the State Board of Education at the local school level with the exception of the principal and assistant principal.

m. Written Notice. Requires written notice by U.S. Postal Service registered mail.

n. Approved evaluator. An approved evaluator is a staff member who has undergone State Department of Education training relative to conducting the evaluation process of the incentive pay program and has been properly approved by the State Superintendent of Education.

o. Teacher. Teacher shall include all professional personnel whom the State Board of Education requires to hold a provisional or professional certificate with the exception of the principal and assistant principal. This definition shall include but not be limited to librarians, counselors, boy and/or girl advisors, coaches, vocational education coordinators, psychometrists and such others whom the State Board may require to be certified. In any instance where a person is required as a part of his or her job responsibilities to evaluate other teaching or instructional personnel, such person shall be deemed to be an administrator/supervisor and shall not be classified as a teacher.

Section 4. Governor's Educational Reform Commission. Nothing contained herein shall be construed as increasing, decreasing or otherwise modifying the Governor's Educational Reform Commission as established in Section 16-6A-5, Code of Alabama, 1975, as amended.

Commencing with the 1985-86 school year, Phase I of the Alabama Performance-Based Career Incentive Program Act will be implemented and which includes Sections 5, 6, 7 and 8 of this act.

Section 5. Appointment of Working Committee.

a. There is hereby created a Working Committee of the Commission which shall be appointed in accordance with this act and which shall have completed its operational activities by July 1, 1987. The Working Committee shall devise an appraisal program consistent with the provisions of this act. The committee will consist of 35 members.

Five members of the committee shall be appointed by the Governor, three of whom must be classroom teachers and two of whom must be elementary/secondary school administrators. The Governor shall appoint the chair and vice chair of the working committee from the membership of the committee.

Fifteen of the members shall be public school teachers and appointed by the Executive Secretary of the Alabama Education Association; fifteen of the members shall be appointed by the State Superintendent of Education from any of the following groups: local school superintendents, principals, supervisors, lay public, business and industry and parents and teachers associations. Any vacancies that occur after the original appointment shall be filled by appointment from the constituency in which the vacancy occurred.

b. The members of the committee shall be appointed by June 1, 1985. No later than the fifth working day after the appointment of all committee members as specified in Section 5(a), the Governor shall call the first meeting of the Working Committee; the committee shall begin deliberations. Later meetings shall be called by the chair, or by the vice chair in the chair's absence, or at the written request of 12 of the members. A minimum of 7 days notice shall be given all committee members prior to any meeting. The committee expenses shall be paid from funds available for this purpose and at prevailing rates allowed by state rules and regulations. Consultant expenses shall be paid from funds available for this purpose according to a schedule to be established by the State Board of Education.

c. Responsibility for fiscal operation of the committee and any accompanying activities shall rest with the Executive Director of the Governor's Educational Reform Commission, who shall submit claims for all authorized expenses to the State Superintendent of Education for payment.

d. Organizations or persons responsible for appointment of members of the Working Committee and evaluators shall insure equitable representation by minority groups.

Section 6. Appointment and Functions of Appraisal Review Committee. There is hereby created an Appraisal Review Committee which shall react to and provide input on all activities of the Working Committee. The Appraisal Review Committee shall consist of the following membership:

a. The State Superintendent of Education and the Executive Secretary of the organization representing the majority of teachers, who shall serve as co-chairs of the Appraisal Review Committee.

b. One elementary, one middle school/junior high school and one secondary professional teacher, to be chosen from each local school district by a majority vote of the professional educators employed in each local school system.

c. Each superintendent of each local school board or the superintendent's designee.

d. One principal or supervisor from each local school system to be selected by principals and supervisors in such system.

e. Forty persons, 20 each to be appointed from the membership of the Alabama Association of School Boards and the Board of Directors of the Alabama Congress of Parent Teachers and to be chosen respectively by said Boards.

Section 7. Responsibilities for Implementation of Performance-Based Career Incentive Program.

a. Working Committee Responsibilities. Functioning in conjunction with the Appraisal Review Committee, the Working Committee shall develop fully the appraisal program to include but not be limited to development of job descriptions as further described herein, development of the appraisal instrument, and any other matter required to fully develop the appraisal program. Job descriptions for all positions to be evaluated shall be completed no later than October 1, 1985. The appraisal instrument for each position shall be prepared in sufficient time to be ready for use for inservice training of prospective evaluators. The committee shall insure that prior to final approval the appraisal instrument is made available on a statewide basis for review by interested parties. The committee shall establish a mechanism for discussion by and receipt of input from interested parties prior to October 1, 1985.

b. The working committee in subsection a. above shall continue in existence until June 30, 1987. The appraisal program and all instruments developed by the working committee shall be submitted to the Legislative Council for its consideration and approval. Failure of the Council to so approve will remand the documents back to the working committee which shall note the objections of the Council and shall take such steps as deemed necessary to meet the objections of the Legislative Council. Having done so, the working committee shall resubmit for approval to the Legislative Council. Upon the Council's approval, such documents and instruments as have been approved will be provided to the state and local boards of education for use in implementation of the appraisal program for the 1986-87 academic school year. Upon the completion of the appraisal program the working committee may make such adjustments or changes in the instruments and documents

as it deems appropriate subject to the same review and approval by the Legislative Council. As of July 1, 1987, upon the cessation of the working committee's existence further changes or modifications of the appraisal program shall be vested with the State Board of Education subject to the provisions of the Administrative Procedures Act.

c. State Superintendent Responsibilities. Upon completion of the Working Committee's responsibilities, the State Superintendent of Education shall take appropriate steps designed to orient all affected education employees to the Performance-Based Career Incentive Program. This orientation shall be structured so as to be completed no later than the end of the 1985-86 school year. The State Superintendent of Education shall take appropriate action during the 1985-86 school year as is necessary to fully train all evaluators who shall conduct or be responsible for the use of the appraisal instrument and organizing the appraisal program at the local level. Upon successful completion of training program for evaluators, the state superintendent shall issue a certificate and shall cause college curriculum for training administrators and supervisors to be modified to include appropriate content in evaluation for all new graduate degrees. The State Superintendent of Education shall insure that no later than the end of 1986-87 school year parent and community groups are oriented to the appraisal program. The State Superintendent of Education shall make available to the Working Committee technical assistance from the State Department of Education.

d. Local School Board Responsibilities. At the commencement of the 1985-86 and 1986-87 school years, local school boards shall classify all current teachers as Probationary or Professional I teachers according to the criteria contained in this act. By October 1, 1986; local school boards shall initiate an organized and systematic program to implement this act. During the 1987-88 school year and thereafter local school boards shall implement the classification system for new teachers and continue all other activities necessary to carry out the provisions of this Act. In establishing the appraisal program the local school board in addition to assigning each school principal primary responsibility for evaluation shall also insure the following:

1. Each school system shall have an appropriate number of approved evaluators designated and trained.
2. Each school system shall have an additional approved evaluator assigned who is not a member of that school staff.
3. Each professional educator appraised is provided a time for a feedback conference regarding the appraisal and is provided access to all appraisal documents.
4. Each professional educator shall receive the appraisal results within 15 days following the appraisal.
5. Each professional educator may request and receive an additional evaluation for each semester. Such re-evaluation shall be conducted by a person other than the original evaluator.

Section 8. Classification System For Current Teachers. Current teachers are those teachers who have been employed prior to or during the 1986-87 school year. Current teachers shall be classified as follows:

a. Probationary Teachers. To achieve probationary status a current teacher must meet the following criteria:

1. Meet all State Board of Education requirements for the issuance of a regular teaching certificate;

2. Hold a regular teaching certificate; and
 3. Have not achieved tenure in any public school system.
- b. Professional I Teachers. To achieve Professional I status a current teacher must meet the following criteria:
1. Meet all state board of education requirements for the issuance of a regular teaching certificate.

2. Hold a regular teaching certificate.
3. Have achieved tenure in a school system in any public school system prior to or at the beginning of the 1986-87 school year.

Section 9. Expansion Of Classification Level For Current Teachers. Commencing with the 1987-88 school year, Phase II will be implemented for current teachers which include classification levels of Professional II and Master. Effective with the 1987-88 school year, teachers may be classified as Professional II; and with the 1989-90 school year, as Master teacher as follows:

a. Professional II. To achieve status as a Professional II teacher, a current teacher must meet the following criteria:

1. Have no less than eight (8) years of total service in any public school system;
2. Have no less than two (2) years of service as a Professional I teacher;
3. Have received an overall rating of excellent during the preceding year of service as a Professional I teacher; and
4. Apply for a change in classification level no later than the last day schools are in session for the school year preceding the year for which a change in classification level is sought.

b. Master. To achieve status as a Master teacher, a current teacher must meet the following criteria:

1. Have no less than thirteen (13) years of total service in any public school system;
2. Have no less than two years of service as a Professional II teacher;
3. Have received an overall rating of excellent in each of the three years of service immediately preceding the year for which change to Master teacher level is sought;
4. Hold a Master's degree or its equivalent in the teaching field as established by the State Board of Education.
5. Have demonstrated ability to:
 - i. assist beginning teachers in the development of professional skills and knowledge;
 - ii. work constructively with other professionals in such activities as curriculum development, textbook selection, evaluation of goals, administrative committees, and in-service programs; and
 - iii. work constructively with parents to improve the educational program for students; and

6. Apply for a change in classification level no later than the last day schools are in session for the school year preceding the year for which a change in classification is sought.

Section 10. Maintenance of Classification Level For Current Teachers. To maintain status in a classification during the 1986-87 school year and thereafter, current teachers must meet the following requirements for the classification level held.

a. Probationary Teachers. To maintain current status a probationary teacher must meet the following criteria:

1. Undergo a minimum of three (3) evaluations annually;
2. Maintain an overall rating of satisfactory performance; and
3. Satisfactorily complete each school year an approved professional development program.

b. Professional I Teachers. To maintain current status a Professional I teacher must meet the following criteria:

1. Undergo a minimum of two (2) evaluations annually;
2. Receive for any two (2) evaluations an overall rating of satisfactory performance; and
3. Successfully complete each school year an approved professional development program.

c. Professional II Teachers. To maintain status a Professional II teacher must meet the following criteria:

1. Undergo a minimum of two (2) evaluations annually;
2. Receive for any two (2) evaluations an overall rating of excellent; and
3. Satisfactorily complete each school year an approved professional development program.

d. Master Teachers. To maintain current status a Master teacher must meet the following criteria:

1. Undergo a minimum of two (2) evaluations annually;
2. Receive for any two (2) evaluations an overall rating of excellent performance; and
3. Satisfactorily complete each school year an approved professional development program.

Section 11. Time Limitations On Levels For Current Teachers.

a. Professional I Level and Above. Current teachers who achieve Professional I, Professional II or Master status may remain at these classification levels so long as the current teacher meets the requirements for maintaining the classification level held.

b. Probationary Teachers. Failure on the part of a current teacher initially classified at the probationary level to achieve Professional I status is grounds for dismissal.

Section 12. Performance-Based Career Incentive Program For New Teachers. Commencing with the 1987-88 school year there is hereby established a performance-based career incentive program for new teachers. A new teacher is any person who is not a current teacher. New teachers shall be classified commencing with the 1987-88 school year and thereafter as follows:

a. Intern Teachers. Intern teachers are new teachers who have successfully completed all requirements for the issuance of a provisional certificate.

b. Probationary Teachers. To achieve probationary status a new teacher must meet the following criteria:

1. Successfully complete one (1) year of service as an Intern teacher; and

2. Receive an overall rating of satisfactory performance on evaluations during the preceding year.

c. Professional I Teacher. To achieve status as a Professional I teacher, a new teacher must meet the following criteria:

1. Successfully complete two (2) consecutive years of service as a probationary teacher;

2. Achieve tenure in accord with the tenure laws of the State of Alabama; and

3. Receive an overall rating of satisfactory performance during each of the two (2) years of service as a Probationary teacher;

d. Professional II Teacher. To achieve status as a Professional II teacher, a new teacher must meet the following criteria:

1. Successfully complete five (5) years of service as a Professional I teacher;

2. Receive an overall rating of excellent in each of the three years of service immediately preceding the year for which change to Professional II teacher level is sought; and

3. Apply for a change in classification level no later than the last day schools are in session for the school year preceding the year for which a change in classification is sought.

e. Master Teacher. To achieve status as a Master teacher, a new teacher must meet the following criteria:

1. Successfully complete five (5) years of service as a Professional II teacher;

2. Receive an overall rating of excellent in each of the three years of service immediately preceding the year for which change to Master Teacher level is sought;

3. Hold a master's degree or its equivalent in the teaching field as established by the State Department of Education;

4. Have demonstrated ability to:

- i. assist beginning teachers in the development of professional skills and knowledge;

ii. work constructively with other professionals in such activities as curriculum development, text book selection, evaluation of goals, administrative committees, and inservice programs; and

iii. work constructively with parents to improve the educational program for students; and

5. Apply for a change in classification level no later than the last day schools are in session for the school year preceding the year for which a change in classification is sought.

Section 13. Maintenance of Classification Level For New Teachers. To maintain status in a classification, new teachers must meet the following requirements for the classification level held.

a. Intern Teacher. To maintain current status an Intern teacher must meet the following criteria:

1. Undergo a minimum of three (3) evaluations during the intern year;
2. Maintain an overall rating of satisfactory performance; and
3. Satisfactorily complete an approved professional development program.

b. Higher Classification Levels. New teachers who achieve status as a Probationary teacher, Professional I teacher, Professional II teacher or Master teacher must meet the same maintenance of classification level requirements as are established in this act for current teachers at each classification level.

Section 14. Time Limitations On Levels For New Teachers. The following time limitations for new teachers are imposed for the following levels.

a. Professional I Level And Above. New teachers who achieve Professional I, Professional II or Master status may remain at these classification levels so long as the current teacher meets the requirements for maintaining the classification level held.

b. Probationary Teachers. Failure on the part of a new teacher to achieve Professional I status is grounds for dismissal.

c. Intern Teachers. Failure on the part of an Intern teacher to achieve probationary status is grounds for dismissal.

Section 15. Working Committee Responsibilities. It shall be the responsibility of the Working Committee established by this act to develop job descriptions in accordance with this act for all levels of classification for current and new teachers. The Working Committee thereafter shall develop a job-related appraisal system in accordance with this act.

a. Descriptions of Classifications.

1. Intern Teachers. Job descriptions for intern teachers shall be specific for the teaching position and shall provide for special inservice and professional development programs designed to assist the beginning teacher. The local board of education may assign other duties as determined necessary.

2. Probationary, Professional I and Professional II Teachers. Job descriptions for current and new teachers employed as Probationary, Professional I or Professional II teachers shall be specific for the teaching position and shall provide that teachers who have achieved these classification levels

shall have full-time teaching duties. In addition to a requirement for full-time teaching duties, the job description shall provide that other duties as assigned by the employer and professional development activities shall be part of the job.

3. Master Teachers. Current or new teachers who meet all requirements for achieving the level of Master teacher shall have at the time of requesting advancement to the status of Master teacher the option of requesting one of two optional job description for Master teacher. Based on the needs of the local school system, the employing local school board, upon the recommendation of the local superintendent of education, shall designate which optional job descriptions shall be utilized.

i. Master Teacher Option A. Job descriptions for Master teacher Option A shall be specific for the teaching position and shall provide for full-time teaching duties, other duties as assigned by the employer, and professional development activities.

ii. Master Teacher Option B. Job descriptions for Master teacher Option B shall be specific for the teaching position and shall provide for a minimum of four-fifth's (4/5) of the teacher's time to be spent on teaching duties. The remaining one-fifth (1/5) of the teacher's time shall be spent on other duties as assigned by the employer. Option B shall include a contract of ten (10) months. These other duties may include but are not limited to the following:

a. Assist teachers in the development of professional skills and knowledges.

b. Develop Curriculum.

c. Improving and/or develop instructional programs and materials.

d. Participate in textbook selection.

e. Develop and participate in professional development activities or other related education activities.

b. Required Competencies of Professional II Teachers. Notwithstanding the foregoing provisions of this section, commencing no later than the beginning of a teacher's third year of successful service as a Professional II teacher, the local school board shall insure that the teacher has the opportunity to demonstrate the following competencies.

1. Assist beginning teachers in the development of professional skills and knowledge.

2. Work constructively with other professionals in such activities as curriculum development, textbook selection, evaluation of goals, administrative committees, and inservice programs.

3. Work constructively with parents to improve the educational program for students.

Section 16. Development of the Appraisal Instrument.

a. In developing the appraisal instrument the Working Committee shall take into consideration that appraisal of performance must be based upon a clear understanding by all involved parties of what duties and responsibilities are required. The Working Committee shall insure that a method of documentation of performance at established intervals is developed for use by

the evaluator and the staff member. The evaluation process must be comprehensive in appraising those behaviors appropriate to the job requirements. Appraisals should be utilized to identify strengths and weaknesses for purposes of personal inservice development and as a basis for constructing programs for continuing staff improvement.

b. In developing the appraisal instrument the Working Committee shall establish criteria for determining the teacher's performance which criteria shall include but not be limited to comprehensive appraisal of the following categories:

1. Planning and instructional methods.
2. Classroom management practices.
3. Competence in subject matter.
4. Instructional program evaluation and student progress.
5. Human relations skills.
6. Professional growth and development.
7. Knowledge of learning and learners.
8. Student achievement.
9. Communication Skills.

c. The Working Committee shall insure that each category contains definitive and descriptive statements of specific behaviors expected and the degree to which each behavior must be performed in order to achieve a specific rating level. Performance expectations should reflect a realistic understanding of the particular teaching-learning environment and establish reasonable standards of behavior indicative of each level of quality. Statements in the appraisal instruments should be so constructed as to describe clearly the behavior observed and the level of quality represented.

d. The Working Committee shall establish a process through which student learning, the outcome of teaching, is examined, based on research, to determine a means of measuring the teacher's effectiveness through student achievement scores.

e. The Working Committee shall insure that the forms devised for performance appraisal are practical and easy to use by the evaluator, and are easily understood by the evaluated.

Section 17. The Evaluator.

a. The superintendent of each local school system is responsible for the evaluation of professional staff members employed in the school system. The Superintendent shall delegate to the principals the primary responsibility in carrying out the responsibilities for performance appraisal. Supervisors and assistant principals should be appropriately involved in the evaluation process. The superintendent and local board of education shall insure that sufficient personnel are available for the purpose of carrying out the appraisal program.

b. The principal shall insure that the role relationships in the appraisal process are clearly defined so that both the evaluator and those evaluated clearly understand the behaviors expected of each involved party.

Section 18. The Evaluated.

a. The appraisals should be carried out on a planned and scheduled program designed to insure that during the year the evaluated teacher receives the number of evaluations required to maintain the status which the teacher has achieved. At least one (1) appraisal shall be conducted each semester.

b. Upon request, one (1) additional evaluation shall be allowed the teacher for each evaluation required in 18 a. above.

c. Teachers whose performance has been appraised to be below the requirements to maintain the Professional II and Master Level shall be given the succeeding year as a probationary period within which to improve. Should requirements not be achieved by the end of the probationary period, the teacher will be placed in the next lower incentive level.

d. Teachers whose performance has been appraised to be unsatisfactory at the Professional I Level will be given the succeeding year as a probationary period within which to improve. Failure during the probationary period to achieve the requirements for maintaining Professional I status shall be grounds for dismissal.

Section 19. Minimum Standards. Notwithstanding any provisions of this Act, the job description and appraisal instruments to be developed by the Working Committee are intended to establish minimum standards of job performance.

Such minimum standards of job performance shall meet or exceed maximum standards presently existing in any local school system in the State of Alabama. Nothing contained in this Act shall prohibit local boards of education from setting higher standards for performance for employees provided such standards are approved by the State Superintendent of Education and do not result in any discrimination against any individual or group of individuals for racial, political, religious or reasons of sex, and provided such local standards are evaluated separately from the provisions of this Act and provided further that employees evaluated are compensated from local funds after having met additional local standards. No state funds may be withheld from an employee for failure of the employee to meet additional local standards.

Section 20. Appeals Procedure. The following procedures are instituted to assure that teachers have available to them a reasonable appeals procedure for performance evaluations which aggrieve the teacher.

a. Local Appeal Process. If a teacher, following a conference with the first evaluator, is dissatisfied with the local evaluation and wishes to receive a second evaluation, the teacher must request a second evaluation by providing written notice to the local superintendent within 15 days after receiving the original evaluation results. Upon receipt of written notice, the local superintendent shall order a second evaluation to be conducted by a different evaluator. The local superintendent will review both evaluations and may take such steps as the local superintendent believes appropriate to assure that a fair and reasonable performance evaluation has been provided the teacher. If the teacher is dissatisfied with the local superintendent's disposition of the appeal, the teacher's appeal shall automatically be referred to the local school board for review and final local action. Upon receipt of the appeal, the local school board shall review procedures followed by the evaluators and the teacher's response to the evaluation. The local school board, after careful review, may either sustain the evaluation or reverse it based

upon its determination that proper procedure was not followed. All local appeals must be concluded within 30 days following the filing of the teacher's notice of appeal, and the teacher must be provided written notice of the results of this deliberation within 15 days. Any teacher may appeal any evaluation through the local appeals process to the local school board.

b. Promotion Appeal. Any teacher who has attained professional I status or higher and has received two consecutive years of "excellent" and who during the third year immediately prior to the decision point concerning promotion to the next higher rank receives an evaluation of less than "excellent" shall be eligible to appeal.

c. Reduction In Rank Appeal. Any teacher who has attained Professional II or Master status and who has received two consecutive evaluations of less than "excellent" which may result in the teacher's being placed on probation or given a demotion in rank and pay shall be eligible to appeal.

d. Probationary Status Appeal. Any teacher who has attained Professional I status, or higher, and who has received two consecutive evaluations and is being considered for placement on probation shall be eligible to appeal.

e. Educator Performance Review/Re-evaluation Panel. There is hereby created the Educator Performance Review/Re-evaluation Panel (EPREP) which shall be comprised of the following:

1. Five persons named by the State Superintendent of Education, subject to the approval of the Executive Secretary of the Alabama Education Association (AEA).

2. Five persons named by the Executive Secretary of AEA, subject to the approval of the State Superintendent of Education.

3. Any vacancy shall be filled in the same manner as prescribed herein.

4. The member list shall be kept current and maintained in the office of the State Superintendent of Education.

The members shall serve as re-appraisers in state appeals cases under the performance program. In the case of an appeal under the state level of the appeals process, the State Superintendent of Education and the Executive Secretary of AEA shall, on a rotating basis, randomly select three potential re-appraisers from the ten-member panel. The three names shall be submitted to the local school board and local teacher, each having the opportunity to strike one name from the list, with the teacher making the first strike. The remaining person shall serve as the re-appraiser for the appeal. The re-appraiser may utilize all records relative to the case in reaching a determination.

f. Training of EPREP Members. Members of the EPREP will receive continual, intensive training designed by the State Superintendent of Education, Executive Secretary of AEA, and the Executive Director of the Alabama School Board Association. Members will be familiarized with the overall evaluation process being performed in schools and the criteria being followed by local evaluators. The State Superintendent of Education shall provide staff upon request to assist in the training. Members will be paid according to a schedule to be developed by the State Board of Education.

g. State Appeal Process. Having exhausted the local appeals process, any teacher, who as the result of his/her last evaluation is denied a promotion, placed on probation or demoted, may enter the state appeals process. The

overall year's evaluation will be considered in this determination. If the teacher is dissatisfied with the local school board's disposition of the appeal, the teacher may provide written notice to the State Superintendent of Education, requesting a review of the local evaluation by the Educator Performance Review/Re-evaluation Panel within 15 days following receipt of the decision of the local board and must also provide written notice of the appeal to the local school superintendent with the same time limit. Upon such written notice to the State Superintendent of Education a reappraiser will be selected as provided in section above. Within ten (10) days of the selection of the reappraiser, the State Superintendent of Education shall notify all parties and set a date for the reappraiser's visit. The reappraiser shall within five (5) days of the visit file a report, a copy of which shall be sent to the teacher, the State Superintendent of Education, the local superintendent, the local board of education, and the Executive Secretary of the AEA. The decision of the reappraiser shall be final and binding on all parties.

h. Withdrawal Of Appeal. Nothing in this procedure shall preclude the withdrawal of an appeal by the teacher at any point in the process by written notice.

Section 21. Salary Of Education Personnel.

a. For the 1987-88 school year and thereafter shall be established state allotment supplement ranges for Professional II and Master teachers which incorporate no less than a fiscal interval of \$5,000 between Professional I and Professional II and a fiscal interval of no less than \$6,000 between Professional II and Master teacher. At the Master level, an additional increment of \$1,000 shall be provided for teachers who hold AA certification, and an additional increment of \$1,000 shall be paid to teachers who hold doctorate degrees.

b. In developing local school system salary schedules, local boards of education shall structure salaries for those employees who do not have teaching duties as defined in Section 3, item 1 to ensure that salary differentials are consistent with the purposes and provisions of this act.

Section 22. Nothing contained in this act shall be construed as modifying the provisions of the teacher tenure law as codified in Sections 16-24-1 through 16-24-38, Code of Alabama 1975, inclusive, as amended.

Nothing herein shall limit the right of a teacher or local board to use any evaluations in cases under the provisions of the Alabama teacher tenure law.

All appeals provided in this Act shall be solely for the purpose of determination of the employee's salary under the Alabama Incentive Pay Program.

Section 23. Teachers who achieve a classification level shall remain at that level regardless of which local school board is the employer so long as the teacher continues to meet the maintenance of classification requirements for the classification achieved.

Section 24. No limit shall be placed on the number of teachers at any performance level contained in this act.

Section 25. Local Obligation. No local board of education shall be obligated to promote an employee under provisions of this Act, nor to provide

salary increases unless the legislature shall appropriate funds sufficient for that purpose. The legislature considers the Alabama Performance-Based Career Incentive Program to be a state program that should be financed fully by state appropriations for state funded teacher units and those under the Alabama Minimum Program.

Section 26. The State Superintendent of Education shall submit a progress report on the implementation of Phase I of the Career Incentive Program to the Governor, members of the Alabama Legislature, and members of the State Board of Education by January 1, 1987. Such progress report shall include the evaluation instrument developed by the Working Committee established by this Act, any administrative procedures developed by the State Department of Education and/or the Working Committee pursuant to the evaluation instrument, a summary of any training seminars and manuals developed, and the status of evaluations being conducted in each of the local schools systems. The State Director of Finance shall certify to the Legislature on the first legislative day of the 1987 Regular Session as to whether or not revenue is available in the projected estimates of revenue to the Alabama Special Educational Trust Fund for Fiscal Years 1987-88 through 1989-90 to implement Phase II of the Career Incentive Program. Before Phase II of the Career Incentive Program can be implemented, the Legislature shall pass a new bill reaffirming its commitment to the Career Incentive Program as implemented in Phase I and affirming that sufficient funds are available to implement Phase II of the Career Incentive Program. If such bill is not passed by the end of the 1987 Regular Session of the Alabama Legislature, Phase II of the Career Incentive Program shall not be implemented.

Section 27. The State Superintendent of Education shall cause to be compiled annually a report to be submitted to the Governor, the Legislature, the State Board of Education and to the public. This report shall be comprehensive in nature and shall identify the number of teachers by race in each local system who during the past school year qualified for each step on the career ladder and shall project into the forthcoming school year the number of teachers by race who will be eligible for each step on the career ladder and the cost thereof. This report shall be available and disseminated each year by the time of the convening of the Interim Budget Committees of the House and Senate of the Alabama Legislature.

Section 28. Non-discrimination. It shall be the public policy of the State of Alabama that no person being evaluated under the provisions of this Act shall be discriminated against based on age, sex, race, color, religion or national origin. In the event the operation of this Act impacts adversely on any racial or ethnic group resulting in fewer members of that racial or ethnic group being placed on any of the respective steps of the career ladder than normally could be expected, the State Superintendent must take whatever action is needed to ensure that the adverse impact is eliminated.

To give force to this Act, the Legislature hereby establishes a special committee to investigate violations of the provisions of this Act regarding discrimination. The committee shall be composed of three (3) persons; one (1) to be appointed by the State Superintendent of Education, one (1) to be appointed by the Executive Secretary of AEA, and one (1) to be selected by the members appointed by the State Superintendent of Education and the Executive Secretary of AEA, respectively. If the two (2) persons so appointed cannot agree on a third person, the State Superintendent and the Executive Secretary of AEA shall submit three (3) names each to the Governor, who shall select one (1) person from among the six (6) names submitted.

All complaints made under this Act alleging discrimination shall be filed with the State Superintendent of Education, who shall then refer said complaints to the special committee not later than thirty (30) days following receipt of the complaints. The special committee shall immediately institute its investigation and report its findings to the State Superintendent of Education not less than sixty (60) days following receipt of the complaints. The State Superintendent of Education shall act on the special committee's report not less than thirty (30) days following the receipt of the report from the special committee.

Section 29. Regulations. The Alabama State Board of Education is hereby authorized, upon the recommendation of the State Superintendent of Education, to adopt such regulations as are necessary to implement the requirements of this act.

Section 30. Severability. In the event any section, sentence, clause or portion of this act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this act.

Section 31. Effective Date. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION IN WRITING

Senator deGraffenried offered the following Motion in Writing, to-wit:

I move to lay the pending substitute on the table.

Which motion was lost.

Yeas 15; Nays 19.

Yeas:

Senators:	Cabaniss	Dixon	Little	
Bailey	Covington	Ellis	Mitchem	
Bedford	deGraffenried	Foshee	Smith (B)	
Bedsole	Dial	Hand	Smith (J)	—15

Nays:

Senators:	Bishop	Goodwin	Menton	
Aldridge	Cooley	Hilliard	Parsons	
Amari	Corbett	Holmes	Sanders	
Barron	Denton	Horn	Strong	
Bennett	Drinkard	Langford	Teague	—19

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended. The question was on the substitute offered by Senator Teague.

Senator deGraffenried offered the following amendment No. 1 to the Teague substitute for the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO TEAGUE SUBSTITUTE FOR H. B. 544, AS AMENDED

Amend Teague Substitute for H. 544, as amended, by inserting in Section 26, page 25, line 26, after the word "implemented," the following: "the

qualified voters voting in an advisory public referendum to be held on the date of the 1986 general election shall be asked to declare their preference for implementation of Phase II, and" further amend Teague Substitute for H. B. 544, as amended, on line 26 by deleting the word "shall" and inserting in lieu thereof the word "may"

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table deGraffenried amendment No. 1 to Teague Substitute for H. B. 544.

Which was adopted.

Yeas 18; Nays 16.

Yeas:

Senators:	Cooley	Hilliard	Parsons
Aldridge	Corbett	Holmes	Sanders
Amari	Denton	Horn	Strong
Barron	Drinkard	Langford	Teague
Bennett	Goodwin	Menton	

— 18

Nays:

Senators:	Cabaniss	Dixon	Little
Bailey	Covington	Ellis	Mitchem
Bedford	deGraffenried	Foshee	Smith (B)
Bedsole	Dial	Hand	Smith (J)
Bishop			

— 16

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended. The question was on the substitute offered by Senator Teague.

Senator Amari offered the following amendment to the Teague substitute for the Bill, H. B. 544, as amended, to-wit:

**AMENDMENT TO TEAGUE SUBSTITUTE
FOR H. B. 544, AS AMENDED**

Amend Teague substitute for H. B. 544, as amended, by deleting in Section 5. a., found on Page 4, lines 32 through 34, the sentence beginning with the word "fifteen" and ending with the word "Association;" and by substituting in lieu thereof the following:

Fifteen of the members shall be public school teachers who shall be selected as follows: each local school board shall provide for the teachers employed by that board to conduct an election to elect one teacher, whose name shall be forwarded to the State Superintendent of Education. From the names so submitted, the State Superintendent of Education shall select 15 teachers for membership on the Working Committee.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Amari amendment to Teague substitute for H. B. 544.

Which was adopted.

Yeas 21; Nays 13.

Yeas:

Senators:	Corbett	Holmes	Parsons
Aldridge	Denton	Horn	Sanders
Barron	Drinkard	Langford	Smith (J)
Bedford	Foshee	Little	Strong
Bennett	Goodwin	Menton	Teague
Cooley	Hilliard		

—21

Nays:

Senators:	Bishop	Dial	Hand
Amari	Cabaniss	Dixon	Mitchem
Bailey	Covington	Ellis	Smith (B)
Bedsole	deGraffenried		

—13

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended. The question was on the substitute offered by Senator Teague.

Senator Hand offered the following amendment to the Teague substitute for the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO TEAGUE SUBSTITUTE FOR H. B. 544, AS AMENDED

Amend Teague Substitute for H. B. 544, as amended, on Page 4, Section 5, lines 19 through Page 5 Line 7 by striking sub-section a. in its entirety and substituting in lieu thereof the following:

a. There is hereby created a Working Committee of the commission which shall be appointed in accordance with this act and which shall have completed its operational activities by July 1, 1987. The Working Committee shall devise an appraisal program consistent with the provisions of this Act. The Committee will consist of 45 members.

Fifteen members shall be appointed by the Governor and selected from lists of ten persons to be submitted by each of the following organizations: Alabama Chamber of Commerce, Associated Industries of Alabama, Alabama Farm Bureau Federation, and American Federation of Labor-Congress of Industrial Organizations.

Fifteen of the members shall be public school teachers and appointed by the Governor and selected from a list of ten persons to be submitted by each of the following organizations: Alabama Education Association, Alabama State Federation of Teachers, and other organizations representing persons in the teaching profession. At least five of these appointees shall be members of organizations representing the teaching profession who are not also members of the Alabama Education Association.

Fifteen of the members shall be appointed by the Governor from a list of ten persons each submitted by each of the boards of directors of the following groups: Alabama Association of School Boards, Alabama Council for School Administration and Supervision, and Alabama Congress of Parents and Teachers.

There shall be at least five members from each of the congressional districts in the State. Each of the nominating organizations shall submit the name of at least one person who is a racial minority and at least nine of the Governor's appointees to the Working Committee shall be members of a racial minority.

The Governor shall appoint the chair and vice chair of the Working Committee from the total membership of the Committee.

Any vacancies that occur after the original appointment shall be filled by appointment from the constituency in which the vacancy occurred.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 87. To amend Sections 40-18-15 and 40-18-35 of the Code of Alabama 1975, relating to state income tax deductions for individuals and corporations, so as to provide further for such deductions.

Also:

S. 286. To amend Code of Alabama 1975, § 28-3A-3 (being Section 3, Act No. 80-529, Acts 1980, known as the Alcoholic Beverage Licensing Code) to provide that manufacturer, importer, wholesaler and warehouse licenses may be renewed in a dry county or dry municipality where the county or municipality was wet when the initial license was issued and the county or municipality subsequently votes dry, and to prohibit the sale or distribution of alcoholic beverages within a dry county (except in wet municipalities) or a dry municipality.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment.

By Rep. Hooper:

H. 978. To repeal Act No. 456 of the Legislature of Alabama, Regular Session 1973; to establish investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, and provide for the hiring, salaries, expenses, authority and duties of such officers; and to repeal all laws and parts of laws in conflict with this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 978—to the Committee on Rules

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 29. Relating to sales representatives; requiring written contracts between sales representatives and principals when commissions are involved; requiring the principal to furnish the representative with a signed copy of the contract; providing for the payment of commissions upon termination of certain agreements; providing for civil damages; providing an effective date.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 492. To authorize the Highway Director, the State Treasurer and the Director of Finance to become a public corporation; to prescribe the powers of such corporation, including the power to construct industrial access roads and bridges in the state and to finance such construction by the issuance from time to time of its bonds in an aggregate principal amount of up to \$25,000,000 at any time outstanding when the Governor shall determine that the issuance of its bonds is necessary to assure the availability of funds for payment of the cost of such roads and bridges; to provide that such bonds and the income therefrom shall be exempt from taxation and may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust and other fiduciary funds; to provide that bonds issued by the corporation shall be limited obligations of the corporation and shall not create an obligation or debt of the state; to provide that bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to appropriate and pledge, from the State 4 cents Gasoline, Motor Fuel, and Lubricating Oil Excise Taxes allocated to the state and not to the counties, funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments, subject to registration requirements; to provide that the State Treasurer shall be custodian of the funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Warren:

H. J. R. 416. NAMING THE NEW BRIDGE ON HIGHWAY 84, WHICH SPANS THE ALABAMA RIVER, AT CLAIBORNE IN MONROE COUNTY, ALABAMA, THE "CLAIBORNE-MURPHY BRIDGE."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 416, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 287. To be known as the "Alabama Eminent Domain Code", providing standards for the acquisition of property by condemnors; provides the procedure for the condemnation action; establishes the standard for the conduct of condemnation actions; establishes the procedure for the determination of just compensation; provides compensation standards; provides the procedure for trial, judgment and postjudgment; provides for arbitration of compensation; provides standards related to evidence in condemnation actions; and repeals Sections 18-1-1 through 18-1-32, of the Code of Alabama of 1975.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Kennedy, Buskey (James), Clark (W), and Zoghby:

H. J. R. 414. MOURNING THE DEATH OF MRS. EVERLEAN CHRISTIAN OF MOBILE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 414, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Escott:

H. 1032. Proposing a constitutional amendment to authorize the governing body of the City of Birmingham in Jefferson County to create and define business development districts, and to levy ad valorem taxes and/or development fees thereon only after public hearings to which each of the property owners and/or licensed business entities within said districts shall have received prior notice by certified mail and further providing that no taxes or fees shall be levied unless first approved by two-thirds (66-2/3%) of the property owners and/or licensed business entities within said districts.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1032—to the Committee on Rules

(The above Bill was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 7. To provide preferential treatment towards admission to any medical research program for any disease deemed crippling or fatal, because of the lack of a known cure, for any sworn full time, regular employed state, county or municipal police officer or fire fighter.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Biddle, Seibels, Adams, Albright, Bachus, Beasley, Beers, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson,

**REGULAR SESSION
28th Day**

1491

Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

H. J. R. 411. MOURNING THE DEATH OF RAYMOND WEEKS.

Also:

By Rep. Black:

H. J. R. 412. COMMENDING MR. JOHN WALKER AND MEMBERS OF KINTERBISH JUNIOR HIGH SCHOOL CHAPTER OF THE FUTURE FARMERS OF AMERICA FOR THEIR OUTSTANDING PARTICIPATION IN THE AFRICA RELIEF FUND DRIVE.

Also:

By Rep. Pratt:

H. J. R. 413. COMMENDING MR. BILL VAUGHAN, MIDFIELD, ALABAMA, "PARAMEDIC OF THE YEAR."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 411, 412, and 413, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. Sasser and Flowers (With Notice and Proof):

H. 1074. Relating to Dale County; to provide for an increase in the salary of the tax assessor and tax collector; and to provide for an effective date of October 1, 1985.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1074, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Sasser and Flowers (With Notice and Proof):

H. 1075. Relating to Dale County; providing further for voter reidentification in such county; providing for additional periods of such registration retroactively to March 1, 1985; providing for a termination date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1075, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1074 and 1075—to the Committee on Rules

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Rains and Coleman:

H. J. R. 406. COMMENDING MR. AND MRS. ROBERT EMORY RAINS ON THE OCCASION OF THEIR 64TH WEDDING ANNIVERSARY.

Also:

By Reps. Bugg and Junkins:

H. J. R. 407. COMMENDING DISTRICT ATTORNEY WILLIAM WIGHTMAN RAYBURN.

Also:

By Reps. Reed, Kennedy, Thomas, Melton, Buskey (James), Buskey (John), and Holmes:

H. J. R. 408. COMMENDING MRS. JULIA P. WILDER.

Also:

By Reps. Reed, Kennedy, Thomas, Melton, Buskey (James), Buskey (John), and Holmes:

H. J. R. 409. COMMENDING MRS. MAGGIE S. BOZEMAN.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 406, 407, 408, and 409, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Martin:

H. J. R. 397. TO CREATE AND ESTABLISH A JOINT INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT OF THE LEGISLATURE OF ALABAMA.

WHEREAS under the provisions of Act No. 84-711 an Interim Committee on Municipal Government of the Legislature of Alabama was organized with eight (8) members of the Legislature, four (4) from the House appointed by the Speaker and four (4) from the Senate appointed by the Lieutenant Governor, and the Committee has submitted its report to the Legislature.

The Committee made numerous recommendations with respect to the organization, function, administration, financial framework, election procedures, forms of government procedures, and the impact of growth and urbanization on Alabama cities and towns; and

WHEREAS, the current Legislature has adopted several bills studied by the Committee and will no doubt adopt several additional pieces of legislation which the Interim Committee recommended and there is a need to continue and complete the study begun by the said Interim Committee inasmuch as many areas, which the Committee studied, require further study in depth and require positive recommendations to the Legislature from the Committee; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that in order to further suggest to the State Legislators additional sound, workable, financially feasible and economically possible methods of administration for Alabama's municipal governments, there is hereby organized an Interim Committee on Municipal Government of the Legislature of Alabama, to be composed of eight (8) members of the Legislature, four (4) members from the House to be appointed by the Speaker of the House, and four (4) members from the Senate to be appointed by the Lieutenant Governor. It shall be the duty and function of the Committee to analyze the present status of municipal government in Alabama and to make recommendations for legislation and constitutional revision which it considers necessary or desirable to enable the municipal governments of this State to more adequately meet and furnish the services and requirements of their citizens.

In reviewing the status and the laws of municipal governments in Alabama, the Committee shall consider and make studies of, but shall not limit its consideration, to the following items:

1. An assessment and study of the impact of reduced federal funds and the problems to municipalities created thereby; the study to suggest methods whereby municipalities may continue furnishing services notwithstanding the reduction of federal assistance; the study also to include a review of the block grant delivery system of federal assistance.

2. An assessment and analysis of the progress being made in Congress on anti-trust legislation designed to overcome the adverse decision of the U.S. Supreme Court in *Community Communications Company, Inc. v. City of Boulder, Colorado*.

3. A study and assessment of the problems faced by municipalities because of the mounting problems connected with sanitary sewage (waste water) disposal and a suggested avenue of meeting the tremendous expenses connected with such disposal; and a suggested funding mechanism to cover the cost of disposal.

4. A study of hazardous waste disposal and suggested solutions of the problems created by hazardous wastes.

5. A study of the infrastructure needs of Alabama towns and cities with particular emphasis on the study of road and street systems and their maintenance and repair.

6. A review with recommendations, as to how municipalities can best improve the delivery of services of all types to their citizens.

BE IT FURTHER RESOLVED, that the Committee shall not consume more than forty-five (45) working days in performing its functions and that its report be finished in time for presentation of a preliminary report during the first week of the 1986 Regular Session of the Alabama Legislature and a final report to be submitted during the 1986 Regular Session of the Alabama Legislature and that as far as practical that all meetings of the Committee shall be held in the State Capitol and be opened to the public. The Secretary of the Senate or Clerk of the House is hereby required to provide one (1) clerk, who shall be a competent stenographer, and the Committee is hereby empowered to employ such other personnel, including reporters and attorneys, as the Committee shall deem necessary. The Committee is hereby empowered to expend funds for the purpose of correspondence with prospective witnesses, in preparation of reports and in general expenses incident to the work of the Committee. Each member of the Committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends the meeting of the Committee which shall be paid out of the funds appropriated to the use of the Legislature on warrants drawn on the State Comptroller upon requisition signed by the Committee's Chairman. Provided, that members shall not receive additional legislative compensation or per diem when the Legislature is in session. The Chairman of the Committee shall certify the sums due to the clerk or other employees of the Committee. The total amount of funds expended by the Committee in carrying out the study shall not exceed the sum of Nine Thousand Five Hundred (\$9,500.00) Dollars. The Lieutenant Governor and the Speaker of the House shall jointly designate one of the members of the Committee as Chairman and one member to be Vice-Chairman. The Lieutenant Governor and the Speaker of the House shall be ex-officio members of the Committee and shall receive compensation at the rate paid out members for each day that they sit with the Committee in its work on the subjects and problems listed in this Resolution, or in handling any other matters agreed upon by the Committee in line with the general purpose of the Committee.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 397, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Warren:

H. J. R. 395. MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REJECT THOSE PORTIONS OF THE PROPOSED TAX SIMPLIFICATION PLANS WHICH WOULD ELIMINATE CAPITAL

GAINS TREATMENT FOR THE SALE OF TIMBER AND REQUIRE THE CAPITALIZATION OF COSTS ASSOCIATED WITH GROWING TIMBER, AND URGING THE ALABAMA CONGRESSIONAL DELEGATION TO OPPOSE, WITH ALL THE STRENGTH AT THEIR DISPOSAL, THE PASSAGE OF SUCH A MEASURE.

WHEREAS, the Alabama Legislature has been informed that several proposed Federal tax bills include the substantial eliminating of capital gains treatment on the sale of timber and require capitalization of timber growing costs now treated as ordinary expenses; and

WHEREAS, this information has caused the Legislature and a large segment of the population of the State great concern in view of the fact that timber and forest products generally constitute the No. 1 farm crop of the State; and

WHEREAS, the enacting into law of any of these proposals will most certainly affect the economy of the State very adversely; and

WHEREAS, the Legislature notes that many less advantageous crops of this State have, through recent years, been shifted to forests, and that thousands of acres of land formerly planted in less productive crops are now planted in vast forests resulting in great financial gain to the State; and

WHEREAS, the members of the Legislature believe that any effort to saddle this important industry of the State with an additional tax burden would break faith with many of our landowners who have been urged to practice forestry and serve to greatly discourage the further advancement of this most important crop; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby memorialize the Congress of the United States to reject those portions of the tax simplification programs which propose the substantial elimination of the treatment of the sale of timber as capital gains and require the capitalization of ordinary expenses related to the growing of timber.

BE IT FURTHER RESOLVED, That we urge the members of the congressional delegation from Alabama to oppose, with all the strength at their command, the enactment of this legislation.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the presiding officers of the two Houses in the Congress and to each member of the Alabama Congressional Delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 395, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. McKee:

H. J. R. 380. COMMENDING TOM FOREMAN, BROADCASTER, WSFA-T.V., MONTGOMERY, ALABAMA.

Also:

By Rep. McKee:

H. J. R. 381. COMMENDING MARGARET KILLIAN OF ROBERT E. LEE HIGH SCHOOL, MONTGOMERY, ALABAMA.

Also:

By Rep. Melton:

H. J. R. 383. COMMENDING JOSEPH MALLISHAM, TUSCALOOSA COUNTY, ALABAMA.

Also:

By Reps. Kvalheim, Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (RG), Johnson (Roy), Junkins, Kennedy, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

H. J. R. 384. RECOGNIZING QUALITY MICRO SYSTEMS, INC., OF MOBILE, A LEADER IN THE FIELD OF HIGH TECHNOLOGY.

Also:

By Rep. Kvalheim:

H. J. R. 386. COMMENDING JAMES E. MATTEI OF MOBILE, ALABAMA.

Also:

By Rep. Newman:

H. J. R. 389. COMMENDING LAMAR COUNTY HIGH SCHOOL BULLDOGS FOOTBALL TEAM UPON WINNING CLASS 3A STATE CHAMPIONSHIP.

Also:

By Rep. Newman:

H. J. R. 390. COMMENDING MILLPORT HIGH SCHOOL JUNIOR TIDE FOOTBALL TEAM UPON WINNING CLASS 2A CHAMPIONSHIP.

Also:

By Rep. Smith:

H. J. R. 393. NOTING, WITH COMMENDATION, THE GOLDEN ANNIVERSARY OF RURAL ELECTRIFICATION.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 380, 381, 383, 384, 386, 389, 390, and 393, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Richardson, Hall, and Rains:

H. J. R. 378. COMMENDING CURLEY PUTNAM FOR HIS OUTSTANDING CONTRIBUTIONS TO COUNTRY MUSIC.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 378, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Rains:

H. J. R. 373. COMMENDING MRS. MYRA J. HALPIN, A NASA FINALIST FOR TEACHER IN SPACE PROGRAM.

Also:

By Rep. Melton:

H. J. R. 374. COMMENDING MAXIE THOMAS OF TUSCALOOSA, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE AND INVOLVEMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 373 and 374, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Tanner and Moore:

H. J. R. 375. COMMENDING POLICE CHIEF C. E. CARTER OF ALABASTER, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 375, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Harper, Gaston, McMillan, Carothers, Penry, Faulk, Mathis, Warren, Dutton, Lindsey, Burke, and Turner:

H. J. R. 371. MEMORIALIZING THE PRESIDENT AND THE CONGRESS TO EXEMPT FOOD AID PROGRAMS FROM THE CARGO PREFERENCE ACT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 371, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Pratt:

H. J. R. 361. COMMENDING GLENN E. MESSER, BIRMINGHAM, ALABAMA, ON HIS NUMEROUS AVIATIONAL ACHIEVEMENTS.

Also:

By Rep. Beers:

H. J. R. 364. DESIGNATING JUNE 2-8, 1985, AS SAFE BOATING WEEK IN ALABAMA.

**REGULAR SESSION
28th Day**

1499

Also:

By Reps. Coleman and Rains:

H. J. R. 365. BESTOWING HONORARY MARSHALL COUNTY CITIZENSHIP ON U.S. CONGRESSMAN TOM BEVILL.

Also:

By Reps. Rains, Preuitt, Johnson (RG), Adams, Albright, Bachus, Beasley, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Newton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby:

H. J. R. 366. MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO FOREVER SECURE THE FREE MAIL SERVICE FOR THE BLIND AND VISUALLY IMPAIRED.

Also:

By Rep. McKee:

H. J. R. 367. COMMENDING PHOTOGRAPHER BILL SCHAUM OF WSFA-TELEVISION, MONTGOMERY, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 361, 364, 365, 366, and 367, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Rains:

H. J. R. 9. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE IMPACT OF IMPORTED TIRES IN THE STATE ON TIRE MANUFACTURERS IN ALABAMA.

Also:

By Reps. Starkey and Clark (D):

H. J. R. 339. COMMENDING LEONARD A. POSTERO.

Also:

By Rep. Flowers:

H. J. R. 340. COMMENDING MS. EULENE HAWKINS UPON INITIATION OF THE EULENE HAWKINS SOCIAL WORK AWARD AT TROY STATE UNIVERSITY IN RECOGNITION OF HER LIFETIME SERVICE TO THE STATE OF ALABAMA AND THE NATION.

Also:

By Reps. Bugg, Junkins, and Ford:

H. J. R. 342. COMMENDING BRANDY KING OF CARLISLE ELEMENTARY SCHOOL, BOAZ, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 9, 339, 340, and 342, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Marietta, Kvalheim, Box, Gaston, Harper, Turner, Buskey (James), Zoghby, Clark (W), McMillan, Onderdonk, and Penry:

H. J. R. 337. URGING THE CONGRESS TO ADOPT THE BOXER LEGISLATION TO IMPOSE A MORATORIUM ON THE ISSUANCE OF PERMITS FOR AT SEA INCINERATION OF CERTAIN HAZARDOUS WASTES.

WHEREAS, the Federal Government has carried out since 1974 an unregulated program of incineration of liquid hazardous wastes including agent orange, dioxin and PCBs in the Pacific Ocean and Gulf of Mexico under the auspices of an ad hoc Interagency Review Board and the United States Environmental Protection Agency; and

WHEREAS, the Maritime Administration provided \$55 million in loan guarantees for the construction of 2 incinerator ships before research results were available and a needs analysis done; and is at present considering an additional \$13.7 million to bail out a financially-troubled shipbuilder; and

WHEREAS, in 1983 the Environmental Protection Agency proceeded to issue tentative permits to Chemical Waste Management to incinerate aboard 2 foreign flag ships some 79 million gallons of liquid toxic wastes over a period of 3 years, at an incineration site in the Gulf of Mexico, a semi-enclosed sea; and

WHEREAS, despite the fact that the tentative permits were denied in the face of massive public protest, scientific doubt and Congressional concern, and that the Environmental Protection Agency is now in the process of formulating regulations, while still analyzing the findings of the Science

Advisory Board Committee on Environmental Effects, Transport and Fate review of incineration, and still awaiting the publication of a new research protocol, and incineration study, several apparently unanswerable concerns remain:

I. The hazards of the sea, dangers of land transport and storage, nature of the chemicals, and the technology, unforgiving in case of a catastrophic spill, intentional dump or long-range cumulative damage that cannot be predicted, pose an unjustifiable risk; and

II. There exists no technology for containment or recovery in case of accidental spill, intentional dump or long-range damage; and

III. There seems to be no means to require moral integrity be demonstrated by a waste disposer, such as a record of strict compliance with regulations in all other waste handling operations, given the fact that incineration at sea would be difficult if not impossible to adequately monitor; and

IV. Proliferation of this alternative would be disincentive to the development of high-end technology for toxic waste destruction and a long-range national policy of waste reduction; and

V. Testing procedures for neither the incineration process nor environmental effects have been validated; and

VI. At the hearing in November 1984, on the draft of the research strategy, EPA stated that additional test burns would likely be allowed prior to the promulgation of the ocean incineration regulations now being processed; and

VII. The Science Advisory Board Committee on Environmental Effects, Transport and Fate, in December 1984, criticized the EPA's approach to handling the nation's serious toxic waste crisis, terming it "haphazard"; and the findings of the report on incineration cast grave doubt on all research, analysis and testing for efficiency, safety and reliability done to date on both land-based and sea-going systems; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we support the Boxer Legislation now pending before the U.S. Congress imposing a moratorium on the issuance of permits for the at sea incineration of certain hazardous wastes until more information is obtained and planning undertaken regarding the impact of such disposal on the marine environment, and the EPA has formulated a comprehensive waste reduction plan.

BE IT FURTHER RESOLVED, That copies of this resolution be dispatched forthwith to the presiding officers of the U.S. Senate and House of Representatives and to each member of the Alabama Congressional Delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 337, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Warren:

H. J. R. 345. EXTENDING THE COST AND EXPENSE ALLOWANCE FOR THE LEGISLATIVE FORESTRY STUDY COMMITTEE.

WHEREAS, the Legislative Forestry Study Committee, established by the Alabama Legislature, has had many meetings, hearings and its members have conducted an exhaustive study; and

WHEREAS, it is in the best interest of the Alabama Legislature to have this committee do additional studies and research into the area of its responsibilities; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby allocated an additional sum sufficient to cover the costs and expense allowances authorized for the committee, not to exceed \$7,500, which shall be paid from any funds appropriated for the use of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 345, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Turnham and Rice:

H. J. R. 344. COMMENDING AUBURN UNIVERSITY FOR OUTSTANDING EFFORTS FOR THEIR GENERATIONS FUND.

Also:

By Rep. Tanner:

H. J. R. 347. CONGRATULATING SONIA LETETIA POOL AND BILL FULLER UPON THEIR FORTHCOMING MARRIAGE.

Also:

By Rep. Payne:

H. J. R. 351. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL WRESTLING TEAM FOR OUTSTANDING ACCOMPLISHMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 344, 347, and 351, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Pratt:

H. J. R. 356. NAMING THE BUILDING WHICH HOUSES THE OFFICE AND LABORATORIES OF THE ALABAMA DEPARTMENT OF FORENSIC SCIENCES IN BIRMINGHAM, ALABAMA, THE "PAUL E. SHOFFEITT LABORATORIES."

Also:

By Reps. Carter and Hettinger:

H. J. R. 357. NAMING THE STUDENT CENTER AT JOHN C. CALHOUN STATE COMMUNITY COLLEGE, THE "JAMES R. CHASTEEN STUDENT CENTER."

Also:

By Rep. Black:

H. J. R. 358. COMMENDING MR. JOSEPH M. EPPS OF LIVINGSTON, ALABAMA FOR HIS LEADERSHIP IN THE AFRICAN RELIEF FUND DRIVE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 356, 357, and 358, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Bowling:

H. J. R. 355. CREATING A SELECT JOINT COMMITTEE TO STUDY AND REVIEW ALL REGULATIONS, POLICIES AND PROCEDURES OF ALL WELFARE, INCLUDING OLD AGE PENSION PROGRAMS, MEDICAID AND SOCIAL PROGRAMS FUNDED OR ADMINISTERED BY THE STATE OF ALABAMA, FOR THE PURPOSE OF RECONSTRUCTING SAME TO ELIMINATE ABLE-BODIED, AND THEREFORE INELIGIBLE, RECIPIENTS OF PUBLIC FUNDS.

WHEREAS, the funding for Alabama's various welfare, including old age pension programs, and social programs, as well as Medicaid, continue to take a larger and larger portion of the funds in our state treasury; and

WHEREAS, the costs of such programs have continued to rise at such an alarming rate that the working men and women in Alabama can hardly support their own families, much less those people who can work but refuse to do so; and

WHEREAS, with welfare fraud and medicaid abuse running rampant nationwide, the State of Alabama has no reason to expect that such abuse does not exist in our own state; and

WHEREAS, it is the intent of the Alabama Legislature that the hard-pressed taxpaying citizens of Alabama no longer be expected to foot the bill for able-bodied individuals who exert themselves only once a month to endorse and cash a check or receive their benefits provided by the responsible hard-working taxpayers of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint select committee to be composed of three members of the House and three members of the Senate to be appointed by the presiding officer of each respective house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The Committee shall thoroughly study and investigate the programs, policies, regulations and procedures of all welfare, medicaid and social programs, funded or administered by the State of Alabama, for the purpose of reconstructing same in order to both eliminate those able-bodied individuals who are ineligible for benefits and to reduce payments in those cases in which overpayment can be shown.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the 15th legislative day of the 1985 Regular Session, whereupon the committee shall be dissolved. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman. Total expenditures of the committee shall not exceed \$9,000.00 per annum.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 355, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Reps. Coburn, Moore, and Clark (J) (With Substitute) (With Amendments):

H. 332. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1986.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Onderdonk, Turner, Newman, Blakeney, Marietta, Harper, and Hooper:

H. 288. This bill amends Sections 40-20-1 and 40-20-2 of the Code of Alabama 1975, relating to the levy of privilege taxes on the production of oil and gas, so as to provide a definition for the term "enhanced recovery project", "supplemental enhanced recovery project", "incremental oil or gas production", and "qualified enhanced recovery project" and to provide a four percent privilege tax on oil and gas produced from a pool or pools, or parts thereof which is the subject of such qualified enhanced recovery project, and to provide that the State Oil and Gas Board of Alabama shall approve the qualified enhanced recovery project and the determination of the projected annual oil or gas production that could be produced without the initiation of the qualified enhanced recovery project at a hearing held pursuant to Section 9-17-7, Code of Alabama 1975, as amended, and to notify the Alabama Department of Revenue thereof.

By Rep. Clark (J):

H. 524. To amend Section 40-23-4, Code of Alabama 1975, which provides for exemptions from the gross receipts tax, so as to include receipts from the telecasting or broadcasting of athletic contests conducted by non-profit organizations, educational institutions and associations composed of educational institutions within said exemption.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered sme returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Turner (With Substitute):

H. 1023. To amend Sections 40-13-5 and 40-13-6 of the Code of Alabama 1975, as amended, relating to the deposit and disbursement of the proceeds from certain coal severance taxes so as to provide that the Alabama State Docks Department may receive a portion of those proceeds under certain circumstances in order to pay expenses of operating and maintaining its coal handling facilities; to provide that proceeds of the tax be deposited in the state treasury to the credit of the Alabama State Docks Coal Handling Facilities Operating Expense Fund; to provide that, upon signing of a determination by the Director of the Alabama State Docks Department and the State Director of Finance to the effect that revenues from the Alabama State Docks Department's coal handling facilities for the ensuing six months will be insufficient to pay the anticipated operating and maintenance expenses of those facilities and to pay principal and interest during such six month

period on those bonds of the Alabama State Docks Department for payment of which said revenues have been pledged, the state treasurer will pay to the Department out of the aforesaid fund the lesser of the amount in the fund or the insufficiency, subject to certain limitations; to provide that any funds remaining in the aforesaid fund at the end of the fiscal year shall be paid into the general fund; and to provide for an effective date.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Junkins, Newman, Trammell, Pratt, Moore, and Mitchell:

H. 447. To amend Section 16-25-14 of the Code of Alabama 1975, relating to benefits generally under the teachers' retirement system, so as to provide further for certain benefits under such system.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Reed (With Amendment):

H. 471. To make appropriations for the support and maintenance of the Tuskegee Institute for the fiscal year ending September 30, 1986.

By Reps. Brakefield and Nicholson (With Amendment):

H. 361. To make appropriations for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1986.

By Rep. Bryant (With Amendment):

H. 462. To make appropriations for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1986.

By Rep. White (L) (With Amendment):

H. 453. To make appropriations for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1986.

By Rep. Coburn (With Amendment):

H. 452. To make appropriations for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1986.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Browder (With Notice and Proof):

H. 1030. Relating to Calhoun County; to provide that at the May 14, 1985, general election the qualified electors of the county shall decide whether

to keep its present three-member form of county commission or to adopt a different five-member form of county commission, beginning at the 1986 general election.

By Rep. Lindsey (With Notice and Proof):

H. 1018. Relating to Cherokee County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Cherokee County at a referendum election held for such purposes.

By Rep. Flowers (With Notice and Proof):

H. 1013. Relating to Pike County; to create the Troy-Pike County Lake Authority; and to provide for the composition and powers of said authority.

By Reps. McMillan and Penry (With Notice and Proof):

H. 1008. To alter, rearrange and extend the boundary lines and corporate limits of the city of Bay Minette in Baldwin County.

By Rep. Flowers (With Notice and Proof):

H. 1006. Relating to Pike County; providing further for an expense allowance for the county commission of said county.

By Rep. Melton (With Notice and Proof):

H. 1005. Relating to Tuscaloosa County; amending Sections 1 and 2 of Act No. 936, H. 50, 1981 First Special Session (Acts 1981, p. 88), relating to the compensation and expense allowance for the sheriff of Tuscaloosa County; so as to further provide for an additional expense allowance and expiration date therefor and the sheriff's compensation in the next term of office for sheriff.

By Reps. Fuller and Laird (With Notice and Proof):

H. 1004. To alter or rearrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Chambers County, Alabama; and to provide for a referendum election on the provisions of this act.

By Rep. Laird (With Notice and Proof):

H. 1067. Relating to Randolph County; providing for the county commission to reimburse the office of probate judge or license commissioner for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

By Rep. Lindsey (With Notice and Proof):

H. 1069. To impose a filing fee of Two (\$2.00) Dollars on certain instruments, documents, and papers filed for record in the office of the Probate Judge of Cherokee County, the funds collected therefrom to be used exclusively for the funding of the mental health program in Cherokee County.

By Reps. Venable and Mikell (With Notice and Proof):

H. 1040. Relating to Elmore County; authorizing the County Commission to provide clerical help for certain county officials; and repealing all conflicting laws.

By Reps. Fuller, White (L), Reed, and Laird (With Notice and Proof):

H. 1041. Relating to the Fifth Judicial Circuit and expense allowances for each circuit judge; providing a formula for payment of such expense allowances from the general funds of the counties which compose the said circuit; providing the method of altering such allowances and a referendum thereon; specifically repealing Act No. 597, S. 815, Regular Session 1969 (Acts 1969, p. 1084), relating to such allowances, and all other conflicting laws.

By Reps. Britnell and Lauderdale (With Notice and Proof):

H. 1017. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

By Reps. Britnell, Lauderdale, and Newman (With Notice and Proof):

H. 1061. Relating to Marion County; providing for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit criminal court in Marion County.

By Rep. Venable (With Notice and Proof):

H. 973. Relating to Coosa County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Coosa County at a referendum election held for such purposes; and providing for a second referendum on its continuation.

By Rep. Johnson (RG) (With Notice and Proof):

H. 972. To alter, rearrange and extend the boundary lines and corporate limits of the City of Sylacauga in Talladega County.

By Reps. Carter and Clark (D) (With Notice and Proof):

H. 962. Providing for a referendum election on the question of the method of selecting a license commissioner for Limestone County, Alabama, and prescribing procedure for electing such commissioners if the qualified electors of the county voting in such election are in favor of electing such commissioner.

By Reps. Starkey, Clark (D), and Goodwin (With Notice and Proof):

H. 1012. Relating to Lauderdale County; making the office of the chairman of the county commission full time; providing for an advisory referendum election as to the question of whether the qualified electors of Lauderdale County favor the Lauderdale County Commission having a full-time commission chairman and for notice of the referendum; providing for the election of such full-time chairman; providing for the qualifications, term of office,

REGULAR SESSION
28th Day

1509

residency requirements, compensation, powers, duties and authority of such chairman; providing for the transfer of office from the incumbent chairman, who is the judge of probate, to the newly elected chairman and the relief of the incumbent for all responsibilities therefrom; and prescribing an effective date and the repeal of conflicting laws.

By Reps. Adams and Clark (J) (With Notice and Proof):

H. 960. Relating to Russell County and the fees for pistol permits; providing for the collection and the allocation of such fees; and repealing any conflicting laws.

By Rep. Blake (With Notice and Proof):

H. 955. Relating to St. Clair County; to require the installation and maintenance of an improved system of indexing and recording documents affecting the title to property and other documents recorded in the Office of the Judge of Probate; to provide the collection and disposition of a special indexing and recording fee; and to provide that said system shall constitute official and permanent records in St. Clair County.

By Rep. Campbell (With Notice and Proof):

H. 952. Relating to the City of Anniston in Calhoun County; to amend further Section 3 of Act No. 592, S. 456, Regular Session 1953 (Acts 1953, p. 838), providing for a civil service system for the city, so as to provide further for exemptions.

By Rep. Lauderdale (With Notice and Proof):

H. 949. Relating to Winston County; authorizing the levy of an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

By Reps. Poole, Melton, Johnson (Roy), Mitchell, and Brakefield:

H. 921. To amend Section 17-4-156 of the Code of Alabama 1975, relating to meeting days of the boards of registrars, so as to increase Tuscaloosa County's board of registrars meeting days and to specifically repeal Act No. 1428, S. 760, 1971 Regular Session (Acts 1971, p. 2454).

By Rep. Harvey (With Notice and Proof):

H. 915. Relating to Blount County; to authorize the Board of Health of said County to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged and to provide for the approval of such fee schedule by the County Commission of Blount County, Alabama.

By Rep. Turnham:

H. 906. To amend Section 16-48-12, Code of Alabama 1975, which provides for the duties of the police officers at Auburn University, so as to provide further for the powers of said officers.

By Reps. Laird and Fuller (With Notice and Proof):

H. 912. Relating to Chambers County; to provide for the mailing addresses of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

By Rep. Nicholson (With Notice and Proof):

H. 903. To provide for an expense allowance for the circuit and district judges and the district attorney of the Fourteenth Judicial Circuit to be paid by the county comprising such circuit; to fix the amount and method of payment of such expense allowance; and to provide that no retirement contributions shall be deducted from the expense allowance.

By Rep. Parker:

H. 902. Proposing an amendment to the Constitution of Alabama, 1901, relating to school district tax for the City of Hartselle, Morgan County, which shall become valid as a part of the Constitution when all requirements of Amendment 425 of the Constitution of Alabama of 1901 are fulfilled.

The above Bill was read a second time at length as required by the Constitution.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Britnell (With Notice and Proof) (With Amendment):

H. 1062. Relating to Franklin County; providing for the disposition of the revenue resulting from certain fees assessed on transactions performed by the tax assessor.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Starkey, Clark (D), and Goodwin:

H. 1003. Proposing a local self-executing amendment to the constitution for Lauderdale County and its municipalities for the purpose of joining with Colbert County and its municipalities, if Colbert County adopts a constitutional amendment passed at the 1985 Regular Legislative Session which is substantially identical to this proposed amendment, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities to provide for the organization, powers, functions, duties and personnel of such authority, including the authority to issue bonds and incur debt, and for the payment of expenses of the authority and for the compensation of its employees. This proposed amendment also allows the governing body of Lauderdale County to levy an additional one cent tax for industrial development purposes and to provide for the distribution of the proceeds.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Campbell (With Notice and Proof):

H. 1000. Relating to Calhoun County; to provide for the levying of additional sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3, and 40-23-4, Code of Alabama 1975, as amended,

providing for the collection, distribution and use of the proceeds of such tax; and providing for the enforcement of this act by the state department of revenue; prescribing penalties and fixing punishment for violation of this act; and providing for an effective date and referendum.

By Reps. Coburn and Goodwin:

H. 997. Proposing a local self-executing amendment to the constitution for Colbert County and its municipalities for the purpose of joining with Lauderdale County and its municipalities, if Lauderdale County adopts a constitutional amendment passed at the 1985 Regular Legislative Session which is substantially identical to this proposed amendment, for the purpose of forming a Shoals Industrial Development Authority for promoting industry and trade and the development of said counties and cities to provide for the organization, powers, functions, duties and personnel of such authority, including the authority to issue bonds and incur debt, and for the payment of expenses of the authority and for the compensation of its employees. This proposed amendment also allows the governing body of Colbert County to levy an additional one cent tax for industrial development purposes and to provide for the distribution of the proceeds.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Nicholson (With Notice and Proof):

H. 570. Relating to Walker County, to amend Act 1067, S. 938 of the 1973 Regular Session (Acts 1973, p. 1802) as amended relating to the county commission, so as to delete the requirement of certain additional meetings in each district of Walker County.

By Rep. Nicholson (With Notice and Proof):

H. 572. Relating to Walker County; to provide that the county governing body may provide clerk-hire allowances to county offices and county officers and to repeal certain conflicting laws.

By Rep. Richardson (With Notice and Proof):

H. 995. Relating to Jackson County and the alternative method of issuing license tags for motor vehicles and fees therefor; amending Section 5 of Act No. 80-453, S. 503, Regular Session 1980, (Acts 1980, p. 707), relating to the functions of the county commission in preparing and mailing out applications for such tags, so as to provide that the county commission may set a fee for the actual costs involved in such duties.

By Rep. Holley (With Notice and Proof):

H. 996. Relating to Coffee County; providing salary increases for certain clerical employees in certain county offices in said county.

By Reps. Sasser and Flowers (With Notice and Proof):

H. 982. Relating to law enforcement in Dale County; an act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees.

By Reps. Melton and Mitchell (With Notice and Proof):

H. 980. Relating to Tuscaloosa County; providing for the salaries of the members of the civil service board in said county and providing for the county personnel director to act as custodian of records.

By Rep. Thomas (With Notice and Proof):

H. 898. Relating to Lowndes County; to authorize the county board of education to appoint the superintendent of education for the county.

By Rep. Thomas (With Notice and Proof):

H. 899. Relating to Lowndes County; to amend Section 2 of Act No. 83-425, S. 360, of the 1983 Regular Session (Acts 1983, p. 604), relating to the distribution of the beer tax levied by Act No. 82-344, H. 165, Regular Session 1982, (Acts 1982, p. 473), so as to provide further for the distribution thereof.

By Rep. Laird (With Notice and Proof):

H. 1047. To alter or rearrange the boundary lines of the City of Ashland, Clay County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Clay County, Alabama.

By Rep. Preuitt (With Notice and Proof):

H. 1042. Relating to the compensation of the Talladega County revenue commissioner; to provide that the county commission of Talladega County may set the salary of the county revenue commissioner from time to time within certain limitations; and providing an effective date.

By Rep. Martin (With Notice and Proof):

H. 816. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

By Rep. Mitchell (With Notice and Proof):

H. 841. Relating to Pickens County; to authorize the county board of education to provide for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks for use in the schools of the county.

By Rep. Flowers (With Notice and Proof):

H. 861. To propose an amendment to the Constitution of Alabama of 1901, so as to authorize Pike County to establish local ad valorem tax rates on certain motor vehicles whether for governing bodies or entities within the county.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Burke (With Notice and Proof):

H. 1028. Relating to DeKalb County; authorizing the county governing body to levy a tax on tobacco products.

By Reps. McMillan and Penry (With Notice and Proof):

H. 1056. To amend Act No. 92, Acts of Alabama 1956, providing for the "Baldwin County Law Library Fund" so as to redesignate it the "Baldwin County Law Library and Judicial Administration Fund"; to provide that the fund may be used, in addition to purchasing law books, periodicals and equipment for the library, for the purposes of furthering the effective administration of justice as provided herein; to designate eighty percent (80%) of

said fund for the purposes of maintaining the county law library and twenty percent (20%) for the purposes of judicial administration; and to provide an effective date.

By Reps. Smith and Tanner (With Notice and Proof):

H. 1052. Relating to Bibb County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Bibb County at a referendum election held for such purposes.

By Rep. Warren (With Notice and Proof):

H. 1053. Relating to Monroe County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act.

By Rep. Thomas (With Notice and Proof):

H. 900. Relating to Lowndes County; creating a districting commission to establish district lines for the Lowndes County Commission and Lowndes County board of education; providing for the appointment of the members of the districting commission; providing for the number of districts; providing for the composition of the Lowndes County board of education and Lowndes County Commission; and providing for election of members of the board of education and county commission from single-member districts.

By Reps. Hooper, Starr, and McKee (With Notice and Proof):

H. 421. Relating to Montgomery County; to amend Act No. 353 of the Legislature of Alabama Regular Session 1875 to provide that notice of all special sessions of the Montgomery County Commission must be given to a newspaper published in the City of Montgomery.

By Reps. Ford and Junkins (With Notice and Proof):

H. 562. Relating to Etowah County; to provide for an expense allowance for the Commission Chairman and each County Commissioner and to provide for its retroactive effect.

By Rep. Nicholson (With Notice and Proof):

H. 571. Relating to Walker County; providing a monthly expense allowance for each member of the Walker County Commission; and providing that such monthly expense allowance shall be the total expense allowance and shall be paid from the county general fund.

By Rep. Flowers:

H. 604. To amend Section 17-4-156, Code of Alabama 1975, relating to the meeting days of the boards of registrars, so as to increase Pike County's board of registrars meeting days.

By Reps. Fuller and Laird (With Notice and Proof):

H. 680. Relating to Chambers County; authorizing the county commission to provide a certain additional expense allowance for the sheriff to be paid from the county general fund.

By Rep. Nicholson:

H. 736. Relating to Walker County; proposing an amendment to the Constitution of Alabama of 1901, relating to providing for the operation of bingo games by qualified non-profit organizations for charitable or educational purposes in Walker County.

The above Bill was read a second time at length as required by the Constitution.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Marietta (With Notice and Proof):

H. 850. Relating to Mobile County; to allow the Mobile County Commission, at its discretion, to grant an expense allowance to the District Court Clerk of the Thirteenth Judicial Circuit.

By Rep. Box (With Notice and Proof):

H. 857. Relating to Mobile County; to exempt from all county, local, or municipal ad valorem taxes all property owned and used by The Woman's Club of Saraland, Inc., a nonprofit corporation, retroactive to October 1, 1983.

By Rep. Kvalheim (With Notice and Proof):

H. 864. Relating to Mobile County; altering, rearranging and extending the boundary lines and corporate limits of the City of Mobile.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Buskey (James), Gaston, Clark (W), Box, and Kennedy (With Notice and Proof) (With Amendment):

H. 954. To amend Act No. 81-446, H. 679, 1981 Regular Session, entitled, "An Act Relating to Mobile County; to provide further for the compensation of election employees and officers," so as to provide further for said compensation.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Turner (With Notice and Proof):

H. 999. Relating to Mobile County; to provide further for the disposition and use of the funds received by Mobile County under the provisions of Title 40, Chapter 20, Article 1, Code of Alabama 1975, as amended, providing for the levy of a privilege tax on the production of oil and gas; and to specifically repeal Act No. 870, H. 1517, Regular Session 1975 (Acts 1975, p. 1714), providing further for the disposition and use of a certain portion of the funds received by Mobile County from an oil and gas severance tax, and all other laws or parts of laws in conflict herewith.

By Reps. Zoghby, Marietta, and Buskey (James) (With Notice and Proof):

H. 1002. To amend Act No. 85-229, H. 526, 1985 Regular Session, which provides for a new form of government for any Class 2 municipality, so as to further provide for the composition of the districts for the new form of government.

Senator Bedford, Chairperson of the Standing Committee on Student and Youth Activities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Martin:

H. 928. To amend the Code of Alabama 1975, Sections 26-16-3 and 26-16-30, relating to the Child Abuse and Neglect Prevention Board by providing further for the authorities, powers and duties of both the state Child Abuse and Neglect Prevention Board and the executive director of the Children's Trust Fund as to the hiring of staff and compensation of staff and to provide further for the distribution of funds.

By Reps. Parker, Biddle, Martin, Drake, Smith, Bugg, Lauderdale, Carter, Starkey, Moore, Clark (D), Goodwin, Albright, Grayson, Junkins, Newman, Clark (J), Escott, Richardson, Blake, Zoghby, Burke, Trammell, Boles, Gray, Spratt, White (G), Ford, Harvey, Bowling, White (L), Cosby, Johnson (Roy), Warren, Gaston, Grouby, Kvalheim, Flowers, Carothers, Beasley, Hammett, Venable, Johnson (RG), Laird, Adams, Crow, Browder, Mathis, Penry, Lindsey, McMillan, Harper, Marietta, Turner, Onderdonk, Blakeney, and Holley:

H. 936. Relating to missing persons and unidentified deceased persons; to create a statewide information center within the state department of public safety to receive reports and investigations of such persons; to require the bureau to enter and cancel certain information to the National Crime Information Center (NCIC) computer; to provide for certain other responsibilities of the bureau; to require the bureau to provide lists of missing school children, grades K-12, to the state board of education; to provide that the bureau shall upon request, assist local law enforcement agencies and other agencies to set up direct computer access to the state's computer system and to provide that the bureau maintain a toll-free telephone number for reporting by other persons of missing persons.

By Reps. Martin, Drake, Smith, Bugg, Onderdonk, Parker, Tanner, Lauderdale, Biddle, Carter, Starkey, Moore, Clark (D), Goodwin, Albright, Grayson, Junkins, Newman, Clark (J), Richardson, Blake, Zoghby, Burke, Trammell, Boles, Spratt, Gray, Escott, White (G), Ford, Harvey, Bowling, White (L), Cosby, Johnson (Roy), Warren, Grouby, Flowers, Carothers, Beasley,

Hammett, Kvalheim, Venable, Johnson (RG), Laird, Adams, Crow, Browder, Gaston, Penry, Lindsey, Mathis, McMillan, Harper, Marietta, Turner, Blakeney, and Holley:

H. 938. Relating to child victims of crime, to grant certain assurances that children will be given certain assistance during the course of a criminal proceeding in which the child is the victim.

By Reps. Martin, Drake, Smith, Bugg, Parker, Tanner, Lauderdale, Onderdonk, Carter, Starkey, Moore, Clark (D), Goodwin, Albright, Grayson, Junkins, Newman, Clark (J), Biddle, Richardson, Blake, Zoghby, Burke, Trammell, Boles, Gray, Spratt, Johnson (Roy), Escott, White (G), Ford, Harvey, Bowling, White (L), Cosby, Warren, Grouby, Flowers, Kvalheim, Beasley, Carothers, Hammett, Venable, Gaston, Johnson (RG), Laird, Adams, Crow, Browder, Penry, Lindsey, Mathis, McMillan, Harper, Marietta, Turner, Blakeney, and Holley:

H. 939. To provide procedures in criminal prosecutions involving the sexual exploitation of children and in other prosecutions for sex offenses wherein the alleged victim is a child under the age of 16, whereby the court may allow: leading questions at trial of any victim or witness who is under the age of 10; and 2) testimony of certain child victims and witnesses to be by videotaped deposition or by closed-circuit television equipment; to provide for the costs of making the videotapes of such depositions and for the use of closed circuit television equipment; to provide that the supreme court may adopt rules of procedure regarding the taking and use of videotaped depositions; to provide that such videotaped depositions shall be subject to protective orders of the court to protect the privacy of the victim or witness; to appropriate funds to the unified judicial system to furnish courts with necessary equipment to view the videotaped depositions; to permit the use of anatomically correct dolls or mannequins to assist an alleged victim or witness with the testimony; to provide procedures to ensure prompt trials in certain prosecutions; and to provide an effective date.

By Reps. Martin, Drake, Smith, Bugg, Parker, Tanner, Lauderdale, Carter, Onderdonk, Starkey, Moore, Clark (D), Goodwin, Albright, Grayson, Junkins, White (G), Newman, Clark (J), Biddle, Richardson, Blake, Zoghby, Burke, Trammell, Boles, Escott, Gray, Spratt, Ford, Harvey, Bowling, White (L), Cosby, Warren, Grouby, Johnson (Roy), Flowers, Beasley, Carothers, Hammett, Gaston, Venable, Johnson (RG), Laird, Adams, Crow, Browder, Penry, Lindsey, Mathis, Kvalheim, McMillan, Harper, Marietta, Turner, Blakeney, and Holley:

H. 940. Relating to applicants for adoption or foster parents; to require the department of pensions and security to apply for, and for the state department of public safety to furnish, any history of prior felony convictions. The applicant shall be denied adoptive or foster parent status if he or she has a prior history of felony conviction in this or another state, and to revoke such status of foster parent if he or she is subsequently convicted of a felony; to require strict confidentiality of such reports and to provide for a fine for breach of such confidential information.

Senator Bedford, Chairperson of the Standing Committee on Student and Youth Activities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Parker, Martin, Drake, Smith, Bugg, Tanner, Lauderdale, Carter, Onderdonk, Starkey, Moore, Clark (D), Goodwin, Albright, Grayson, Junkins, Newman, Clark (J), Richardson, Blake, Zoghby, Burke, Trammell, Boles, Gray, Spratt, Escott, White (G), Ford, Harvey, Bowling, White (L), Cosby, Johnson (Roy), Warren, Grouby, Carothers, Flowers, Gaston, Beasley, Hammett, Venable, Johnson (RG), Laird, Adams, Crow, Browder, Kvalheim, Penry, Lindsey, Mathis, McMillan, Harper, Marietta, Turner, Blakeney, and Holley (With Amendment):

H. 941. To require certain prospective employers to request from the public safety department records of all convictions, if any, for sex crimes of prospective employees; to exempt employees hired prior to the effective date of this act; to require certain other prospective employees or volunteers, and employees hired prior to the effective date of this act to sign statements which require disclosure of prior sex crime convictions; to define the term "sex crimes"; to provide penalties for submitting false information on such statements; to require the public safety department to furnish such statement forms and the information to be contained thereon; to require the employer to keep such statements for a period of time and to send copies to the public safety department, which shall keep such copies for a certain period of time; to provide for complete checks for prior sex crime convictions at the request of the employer and on a random sample basis of the department and to require the department to notify local law enforcement agencies and employers of such prior convictions; to provide for confidentiality of all reports, records and statements required by this act; and to provide that this act shall be effective September 1, 1985.

Senator Bedford, Chairperson of the Standing Committee on Student and Youth Activities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Martin, Drake, Smith, Bugg, Tanner, Parker, Onderdonk, Lauderdale, Biddle, Clark (D), Goodwin, Albright, Moore, Grayson, Junkins, Newman, Clark (J), Richardson, Blake, Zoghby, Spratt, Burke, Trammell, Boles, Gray, Escott, White (G), Ford, Harvey, Bowling, White (L), Cosby, Johnson (Roy), Warren, Grouby, Carothers, Flowers, Gaston, Beasley, Hammett, Venable, Johnson (RG), Laird, Adams, Crow, Browder, Kvalheim, Penry, Lindsey, Mathis, McMillan, Harper, Marietta, Turner, Blakeney, and Holley:

H. 945. Relating to victims of child abuse and neglect; to require the state pensions and security department to develop one or more multi-disciplinary child protection teams in each county to assist and supplement protective services for such children; to provide for their composition and functions and to avoid duplication of certain services.

By Reps. Martin, Drake, Smith, Bugg, Tanner, Parker, Onderdonk, Lauderdale, Carter, Starkey, Moore, Clark (D), Goodwin, Biddle, Grayson, Junkins, Newman, Clark (J), Richardson, Blake, Zoghby, Gaston, Burke, Trammell, Boles, Gray, Escott, Spratt, White (G), Ford, Harvey, Bowling, White (L), Cosby, Johnson (Roy), Warren, Grouby, Carothers, Flowers, Beasley, Hammett, Venable, Johnson (RG), Laird, Adams, Crow, Browder, Penry, Lindsey, Mathis, Kvalheim, McMillan, Harper, Marietta, Turner, Blakeney, and Holley:

H. 946. Relating to investigations by law enforcement agencies and social service agencies of this state concerning suspected or actual child

abuse or neglect, so as to require agencies to share their information, upon request, with any other agency or agencies when the sharing of such information is necessary to prevent or discover child abuse or neglect.

By Reps. Martin, Drake, Smith, Bugg, Tanner, Onderdonk, Parker, Biddle, Lauderdale, Carter, Starkey, Moore, Clark (D), Goodwin, Albright, Grayson, Junkins, Newman, Clark (J), Richardson, Blake, Zoghby, Spratt, Burke, Trammell, Boles, Gray, Escott, White (G), Ford, Harvey, Bowling, White (L), Cosby, Johnson (Roy), Warren, Grouby, Flowers, Beasley, Carothers, Hammett, Kvalheim, Venable, Johnson (RG), Laird, Adams, Crow, Browder, Gaston, Penry, Lindsey, Mathis, McMillan, Harper, Marietta, Turner, Blakeney, and Holley:

H. 947. Relating to victims of sexual abuse or sexual exploitation; to prohibit the publication of the identity of such victims and to provide misdemeanor punishment for violations; to provide that court records of such victims shall not be open to the public; and to allow presiding circuit judges to formulate rules which limit the number of interviews or interrogations which can be conducted upon such victims under 12 years of age.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Cosby:

H. 878. To amend sections 27-40-1, 27-40-8, 27-40-9, 27-40-10, and 27-40-12, Code of Alabama 1975, relating to insurance premium finance companies, so as to provide further for the regulation of such companies; to provide additional rates and charges allowable by such companies; and to provide for disbursement of the amount financed and to prohibit certain activities used to induce the financing of such insurance contracts.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Onderdonk:

H. 290. Relating to the regulation of the production of oil and gas in this State; to amend Sections 9-17-1 and 40-20-1, Code of Alabama 1975, to define oil and gas terms; to amend Section 9-17-6, Code of Alabama 1975, relating to the powers and duties of the State Oil and Gas Board; to amend Section 9-17-7, Code of Alabama 1975, to authorize the State Oil and Gas Board to delegate power and authority to a hearing officer; to amend Section 9-17-12 and Section 9-17-13, Code of Alabama 1975, to eliminate the requirement that the State Oil and Gas Board shall settle disputes relative to well costs; to amend Section 9-17-32, Code of Alabama 1975, to provide for fines for violations of the rules, regulations, or orders of the State Oil and Gas Board.

By Rep. Laird:

H. 920. To authorize and make provision for the incorporation in any City in the State of Alabama of a Downtown Redevelopment Authority for the purpose of promoting trade and commerce by inducing commercial

enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of any such City; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the State; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for the state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in

any of the activities in which an Authority may engage and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds; to provide for the reincorporation of, and to validate the acts of, certain authorities previously established; to provide that the provisions of this Act are cumulative and severable and to provide for an effective date.

By Rep. Holley:

H. 542. Relating to the subsistence allowance for certain law enforcement officers; to amend Section 36-21-2, Code of Alabama 1975, so as to provide that investigators employed by district attorneys shall be paid such allowance; and to make a supplemental appropriation for fiscal year 1985-86 to cover the cost.

By Rep. Smith:

H. 435. To amend sections 36-21-68, 36-21-71, 36-21-74, and 36-21-76 of the Code of Alabama 1975, relating to the Alabama Peace Officers' Annuity and Benefit Fund, so as to eliminate purchasing of past service by new members of the fund; and to provide further for disability benefits and continued membership.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Coburn and Clark (J) (With Amendment):

H. 724. To include under the duties and functions of the Legislative Fiscal Office the duty of program review and evaluation of the operations of state departments, agencies and institutions.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. White (F), Faulk, and Reed:

H. 667. To enact the Interstate Corrections Compact into law and to provide for the permanent or temporary interstate transfer of offenders and

prisoners between Alabama and such other states as may legally join into the interstate corrections compact and contract for said transfer with the Commissioner of the Alabama Department of Corrections.

By Reps. Payne and Drake:

H. 969. To create and establish the "Keep the Stallions in Alabama Trust Fund" in the state treasury; to provide for financing of such fund through voluntary contributions to such fund by means of a state income tax checkoff; to prescribe certain duties for the state revenue department and the state treasurer in connection with such checkoff contributions; to provide for reimbursing the revenue department for the additional cost of collecting and handling such contributions; to provide for a certain board of trustees for such fund; to regulate the use of such fund; to provide for private donations to such fund and to provide that this act shall have retroactive effect to January 1, 1985.

By Rep. Johnson (Roy):

H. 416. To provide in addition to benefits now received, a retirement cost-of-living increase to all persons whose effective date of retirement for purposes of receiving benefits from the Employees' Retirement System of Alabama was prior to October 1, 1984, provided that no person whose retirement under the Employees' Retirement System is based on 51 percent or more service as an employee of an employer participating under Section 36-27-6, shall be entitled to receive said increase unless the employer by which he was employed elects to come under the provisions of this act; to provide that any person whose eligibility to receive Medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase; to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama; and to provide for the funding of the increases granted and the repeal of conflicting laws.

By Rep. Carothers:

H. 823. To re-open the Retirement Systems of Alabama in order to allow active and contributing members and former such members with vested retirement benefits to claim and purchase credit for military service and to provide for its termination.

By Reps. Sasser and Grouby:

H. 858. To provide for victim impact investigations, victim impact reports and voluntary victim impact statements in criminal cases; to provide for their scope, content, and confidentiality; to provide for their use at sentencing and thereafter; to provide defendants and others access to victim impact statements and victim impact reports; to provide victims access to presentence reports under certain terms and conditions; to provide for voluntary victim participation in victim impact investigations and victim impact reports; to provide for voluntary victim allocation at sentencing; to provide for a short title, definitions of terms, and public policy.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Reps. White (L), Beasley, Butler, Mikell, and Johnson (RG):

H. 194. To amend Sections 34-23-30, 34-23-32, 34-23-50, and 34-23-52, Code of Alabama 1975, which provide license fees established by the board of pharmacy, so as to provide further for said fees.

By Rep. Clark (J):

H. 450. To amend H. 9, enacted as Act No. 85-125, enacted at the First Special Session of the 1985 Alabama Legislature, which amended various provisions of Chapter 2 of Title 14 of the Code of Alabama 1975 relating to the Alabama Corrections Institution Finance Authority, in order to authorize the Authority to sell its bonds by private sale; and to permit bonds of the Authority to be sold with a maximum term of 30 years.

By Reps. Clark (J), Harper, and Turner:

H. 344. To amend certain sections of Chapter 9, Article 11, of Title 41 of the Code of Alabama 1975 to provide that the executive committee of the commission may not be empowered to execute any contract for an amount in excess of \$100,000.00; to provide that the commission offer to its employees any benefits offered to employees of the state of Alabama; to provide that the commission shall establish, operate and maintain a state memorial park to honor Alabamians who participated in all armed conflicts of the United States; and to provide that the \$50,000.00 outstanding indebtedness to the Alabama State Docks Department be forgiven.

By Reps. Turnham and Cosby (With Amendment):

H. 600. To create the Alabama Manufactured Housing Commission; to express legislative intent to relieve the fire marshal division of the insurance department of certain duties; to provide for the functions, duties, powers, membership, compensation, terms of office, meetings and other business of the commission; to create a special revolving fund for the commission; to authorize the commission to promulgate rules and regulations and to enter contracts and perform specific duties relative to the standards for the construction of manufactured housing and buildings; and to provide that the functions, powers, authority and duties provided by law, specifically but not limited to Sections 24-5-1 through 24-5-14, 25-5-30 through 25-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975, and all books, records, supplies, pursuant to and under the authority of the aforesaid code sections through legislative budgetary authority and duties provided by law, specifically, but not limited to: Sections 24-5-1 through 24-5-14; 24-5-30 through 24-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975, and all books, records, supplies, equipment, documents, files, papers, materials, and personnel of the fire marshal's division subject to and authorized by, or under these various code sections and related thereto shall be transferred to the commission. To provide that funds in the amount of \$110,364.00 appropriated to the fire marshal's division for fiscal year 1985-1986 for those functions and purposes enumerated in the above code sections shall be transferred and appropriated to the commission. Also transferred and appropriated to the commission are all funds received from contracts performed by the commission on or after October 1, 1985, pursuant to Section 24-5-13.1, Code of Alabama 1975, pertaining to mobile homes, manufactured housing and manufactured buildings.

By Rep. Hall:

H. 89. To authorize and provide for the promotion of the production, marketing, use and sale of wheat, corn, grain sorghum, and oats and wheat, corn, grain sorghum, and oats products by research, education, advertising and other methods; and prescribing a method whereby wheat, corn, grain sorghum, and oat producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional

program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for non-assessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the wheat, corn, grain sorghum, and oats producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of wheat, corn, grain sorghum, and oats throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of wheat, corn, grain sorghum, and oats; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

By Rep. Hall (Constitutional Amendment):

H. 88. To propose an amendment to the Constitution of 1901, authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of wheat and other feed grains as defined and authorized by the Legislature.

BUDGET ISOLATION RESOLUTION

Senator Denton, B. I. R., H. B. 851, Rules.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended, and pending Teague substitute. The question was on the amendment offered by Senator Hand.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Hand amendment to Teague substitute for H. B. 544.

Which was adopted.

Yeas 18; Nays 11.

Yeas:

Senators:	Corbett	Holmes	Parsons
Aldridge	Denton	Horn	Sanders
Barron	Drinkard	Langford	Strong
Bedford	Goodwin	Little	Teague
Cooley	Hilliard	Menton	

—18

Nays:

Senators:	Bishop	deGraffenried	Ellis
Amari	Cabaniss	Dial	Hand
Bedsole	Covington	Dixon	Smith (B)

—11

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended. The question was on the substitute offered by Senator Teague.

Senator deGraffenried offered the following amendment No. 2 to the substitute for the Bill, H. B. 544, as amended, to-wit:

**AMENDMENT TO SUBSTITUTE FOR
H. B. 544, AS AMENDED**

Amend Teague Substitute for H. B. 544, as amended, by deleting in its entirety Section 7, subsection b., found on Page 7, and by inserting a new subsection b. as follows:

b. The working committee in subsection a. above shall continue in existence until June 30, 1987. The appraisal program and all instruments developed by the working committee shall be submitted to the State Board of Education for its consideration and approval. Failure of the board to so approve will remand the documents back to the working committee which shall note the objections of the Board and shall take such steps as deemed necessary to meet the objections of the State Board of Education. Having done so, the working committee shall resubmit for approval to the State Board of Education. Upon the Board's approval, such documents and instruments as have been approved will be provided to local boards of education for use in implementation of the appraisal program for the 1986-87 academic school year. Upon the completion of the appraisal program the working committee may make such adjustments or changes in the instruments and documents as it deems appropriate subject to the same review and approval by the State Board of Education. As of July 1, 1987, upon the cessation of the working committee's existence further changes or modifications of the appraisal program shall be vested with the State Board of Education.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table deGraffenried amendment No. 2 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 16; Nays 14.

Yeas:

Senators:	Denton	Hilliard	Parsons
Aldridge	Drinkard	Holmes	Sanders
Barron	Foshee	Horn	Strong
Cooley	Goodwin	Langford	Teague
Corbett			

—16

Nays:

Senators:	Cabaniss	Dixon	Menton
Amari	Covington	Ellis	Mitchem
Bedsole	deGraffenried	Hand	Smith (B)
Bishop	Dial	Little	

—14

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended. The question was on the substitute offered by Senator Teague.

Senator deGraffenried offered the following amendment No. 3 to the substitute for the Bill, H. B. 544, as amended, to-wit:

**AMENDMENT TO SUBSTITUTE FOR
H. B. 544, AS AMENDED**

Amend Teague Substitute for H. B. 544, as amended, by deleting Section 20, subsections e., f. and g., found on Pages 22 and 23, substituting in lieu thereof a new subsection e., and by relettering all subsequent sections.

e. State Appeal Process. If the teacher is dissatisfied with the local school board's disposition of the appeal, the teacher may notify the State Superintendent of Education, requesting in writing a review of the local evaluation. A copy of the request must be sent by the teacher to the local superintendent. Upon receipt of a written request, the State Superintendent of Education shall designate a member of his staff, who shall conduct a complete review of the teacher's evaluations, including documentation on which the evaluations were based, the procedures followed during evaluations and the teacher's responses to those evaluations. If the review reveals that the teacher was treated fairly and that the local evaluation was based on adequate documentation, the local evaluation shall be sustained. If the review indicates that proper procedures were not followed or that documentation is insufficient to substantiate the local evaluation, the state reviewer may conduct a new evaluation of the teacher's performance. Within five days following the reevaluation or following a decision to sustain the local evaluation, the reviewer shall submit a complete report of his findings to the State Superintendent of Education. Based upon the findings resulting from the state review, the State Superintendent of Education shall forward a copy of his recommendation to the teacher, local superintendent, and the president of the local board of education. Following receipt of the State Superintendent of Education's recommendation, the local Board of Education shall render a final decision on the employee's evaluation.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table deGraffenried amendment No. 3 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 19; Nays 13.

Yeas:

Senators:	Corbett	Hilliard	Menton	
Aldridge	Denton	Holmes	Parsons	
Barron	Drinkard	Horn	Sanders	
Bedford	Foshee	Langford	Strong	
Cooley	Goodwin	Little	Teague	—19

Nays:

Senators:	Bishop	Dial	Hand	
Amari	Cabaniss	Dixon	Smith (B)	
Bedsole	Covington	Ellis	Smith (J)	
Bennett	deGraffenried			—13

MOTION IN WRITING

Senator Foshee offered the following Motion in Writing, to-wit:

Motion to adjourn to 12:01 A.M., 5/9/85.

Senator Bailey offered the following substitute Motion in Writing, to-wit:

I move that we adjourn to reconvene at 10 A.M. tomorrow.

Which was lost.

Yeas 10; Nays 21.

Yeas:

Senators:	Cabaniss	Hand	Smith (B)	
Bailey	Dixon	Little	Smith (J)	
Bedford	Ellis	Mitchem		—10

Nays:

Senators:	Corbett	Goodwin	Menton	
Amari	Covington	Hilliard	Parsons	
Barron	deGraffenried	Holmes	Sanders	
Bennett	Denton	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cooley	Foshee			—21

Senator Bedford offered the following substitute Motion in Writing, to-wit:

When we adjourn today May 8, 1985 we adjourn to reconvene at 11:00 A.M. on May 9, 1985.

Which motion was lost.

Senator Mitchem offered the following substitute Motion in Writing, to-wit:

I move that when we adjourn we adjourn until 9 A.M. on the Twenty-Ninth day.

Which motion was lost.

Yeas 10; Nays 19.

Yeas:

Senators:	Bedsole	Hand	Smith (B)	
Bailey	Dixon	Little	Smith (J)	
Bedford	Ellis	Mitchem		—10

Nays:

Senators:	Corbett	Goodwin	Menton	
Amari	Covington	Hilliard	Parsons	
Bennett	Denton	Holmes	Sanders	
Bishop	Drinkard	Horn	Strong	
Cooley	Foshee	Langford	Teague	—19

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Senator Foshee, further consideration of all Senate Bills remaining on the Calendar was indefinitely postponed.

MOTION IN WRITING

Senator Parsons offered the following substitute Motion in Writing, to-wit:

Motion in Writing to adjourn until 12:02 A.M. May 9, 1985.

Which was adopted.

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended. The question was on the Substitute offered by Senator Teague.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 122

S. B. 637

S. B. 705

S. B. 140

S. B. 695

S. B. 706

S. B. 212

Delivered to the Governor, May 8, 1985, at 12:25 P.M.

S. B. 121

Delivered to the Governor, May 8, 1985, at 5:05 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 11:58 P.M., on motion of Senator Parsons, in accordance with Motion in Writing heretofore adopted, and pending further consideration of H. B. 544, the Senate adjourned until Thursday, May 9, 1985, at 12:02 A.M.

TWENTY-NINTH LEGISLATIVE DAY

THURSDAY, MAY 9, 1985

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by Mr. Charles Moore, Deacon, Hall Memorial CME Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Paula Nicholson, Mary G. Montgomery High School, Semmes, Alabama.

ROLL CALL

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

JOURNAL

On motion of Senator Corbett, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

Yeas 23; Nays 9.

Yeas:

Senators:	Bishop	Drinkard	Langford
Aldridge	Cabaniss	Figures	Menton
Amari	Cooley	Foshee	Mitchem
Barron	Corbett	Goodwin	Sanders
Bedford	Covington	Hilliard	Strong
Bennett	Denton	Holmes	Teague

—23

Nays:

Senators:	Dial	Hand	Smith (B)
Bailey	Dixon	Little	Smith (J)
deGraffenried	Ellis		

—9

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for

the Twenty-Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Eighth Legislative Day was approved by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 544. Providing for the development and establishment of an incentive-based pay plan for the teachers of the public schools of Alabama; provides career incentives for public school teachers; initiating a program of performance appraisal; establishing salary progressions for education personnel; and providing for the implementation of this act.

as amended. The question was on the substitute offered by Senator Teague, which said substitute is set out in the Journal of the Senate for the Twenty-Eighth Legislative Day.

Senator Dixon offered the following amendment No. 2 to the Teague substitute for the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO TEAGUE SUBSTITUTE FOR H. B. 544

Amend H. B. 544, as engrossed, on page 9, line 30, by striking the period after the word "year" and adding the following language:

"and have achieved a score in excess of the 50th percentile on the National Teachers Examination, Infield Section."

MOTIONS IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Dixon amendment No. 2 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 19; Nays 11.

Yeas:

Senators:	Corbett	Hilliard	Menton
Aldridge	Denton	Holmes	Parsons
Barron	Drinkard	Horn	Sanders
Bedford	Foshee	Langford	Strong
Cooley	Goodwin	Little	Teague

Nays:

Senators:	Bennett	Dial	Hand	
Amari	Cabaniss	Dixon	Smith (B)	
Bedsole	Covington	Ellis	Smith (J)	—11

Senator Corbett then offered the following Motion in Writing, to-wit:

Motion to adopt Teague substitute for H. B. 544, as amended.

Which was adopted.

Yeas 17; Nays 14.

Yeas:

Senators:	Denton	Holmes	Parsons	
Aldridge	Drinkard	Horn	Sanders	
Bennett	Foshee	Langford	Strong	
Cooley	Goodwin	Menton	Teague	
Corbett	Hilliard			—17

Nays:

Senators:	Cabaniss	Dixon	Mitchem	
Bailey	Covington	Ellis	Smith (B)	
Bedsole	deGraffenried	Hand	Smith (J)	
Bishop	Dial	Little		—14

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Dixon offered the following amendment No. 3 to the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO H. B. 544, AS AMENDED

Amend H. B. 544, as amended, on page 10, line 13, by inserting the following language after the word "and": "have achieved a score in excess of the 60th percentile on the National Teachers Examination, General Section."

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Dixon amendment No. 3 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 16; Nays 9.

Yeas:

Senators:	Drinkard	Horn	Parsons	
Aldridge	Goodwin	Langford	Sanders	
Cooley	Hilliard	Little	Strong	
Corbett	Holmes	Menton	Teague	
Denton				—16

Nays:

Senators:	deGraffenried	Ellis	Smith (B)
Bishop	Dial	Hand	Smith (J)
Cabaniss	Dixon		

—9

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Smith (J) offered the following amendment No. 2 to the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO H. B. 544, AS AMENDED

On page 27, line 28, after the period, insert the following:

However, the provisions of this act shall become null and void on October 1, 1987, unless the legislature passes a Constitutional Amendment establishing a funding mechanism for the Career Incentive Program for teachers and said Constitutional Amendment is ratified as provided by the 1901 Alabama Constitution.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Smith (J) amendment No. 2 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 18; Nays 14.

Yeas:

Senators:	Cooley	Hilliard	Parsons
Aldridge	Corbett	Holmes	Sanders
Amari	Denton	Horn	Strong
Barron	Drinkard	Langford	Teague
Bennett	Goodwin	Menton	

—18

Nays:

Senators:	Bishop	Dixon	Mitchem
Bailey	Cabaniss	Ellis	Smith (B)
Bedford	deGraffenried	Hand	Smith (J)
Bedsole	Dial	Little	

—14

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Smith (J) offered the following amendment No. 3 to the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO H. B. 544, AS AMENDED

On page 7, delete lines 5 through 27 in their entirety and insert in lieu thereof:

b. The working committee in subsection a. above shall continue in existence until June 30, 1987. The appraisal program and all instruments

developed by the working committee shall be submitted to the Legislature for its consideration and approval. Failure of the Legislature to so approve by the passage of a joint resolution on a roll call vote will remand the documents back to the working committee which shall note the objections of the Legislature and shall take such steps as deemed necessary to meet the objections of the Legislature. Having done so, the working committee shall resubmit for approval to the Legislature. Upon the Legislature's approval, such documents and instruments as have been approved will be provided to the state and local boards of education for use in implementation of the appraisal program for the 1986-87 academic school year. Upon the completion of the appraisal program the working committee may make such adjustments or changes in the instruments and documents as it deems appropriate subject to the same review and approval by the Legislature. As of July 1, 1987, upon the cessation of the working committee's existence further changes or modifications of the appraisal program shall be vested with the State Board of Education subject to the provisions of the Administrative Procedure Act.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Smith (J) amendment No. 3 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 18; Nays 15.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Aldridge	Corbett	Hilliard	Sanders	
Barron	Denton	Holmes	Strong	
Bedford	Drinkard	Horn	Teague	
Bennett	Foshee	Langford		—18

Nays:

Senators:	Bishop	Dixon	Mitchem	
Amari	Cabaniss	Ellis	Parsons	
Bailey	deGraffenried	Hand	Smith (B)	
Bedsole	Dial	Little	Smith (J)	—15

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Ellis offered the following amendment No. 2 to the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO H. B. 544, AS AMENDED

Amend H. B. 544, as amended, by deleting Section 20, subsections e, f, and g, found on Pages 22 and 23, by inserting a new subsection e as follows, and by relettering subsequent sections.

e. State Appeals Process. Having exhausted the local appeals process, an eligible teacher who as a result of his/her last evaluation is denied promotion or demoted may appeal to the appropriate Circuit Court for

review. The Circuit Court shall review the documentation presented to it by both the teacher and the board of education, and after review and hearing of oral arguments shall render a factual decision establishing whether the teacher was given a fair and unbiased performance evaluation. If the Court finds that a fair and unbiased evaluation was afforded the teacher, the Court's decision shall be final. If the Court finds that a procedural error was made and the teacher was not given a fair and unbiased performance evaluation, it may order the local board of education to conduct a new evaluation of that teacher's performance, which shall be subject to review by the Court. Once the Court determines that a fair and unbiased evaluation has been given, the decision of the local board of education shall be final.

MOTION IN WRITING

Senator Bennett offered the following Motion in Writing, to-wit:

Motion to table Ellis amendment No. 2 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 18; Nays 14.

Yeas:

Senators:	Cooley	Hilliard	Parsons
Aldridge	Corbett	Holmes	Sanders
Barron	Denton	Horn	Strong
Bedford	Drinkard	Langford	Teague
Bennett	Goodwin	Menton	

—18

Nays:

Senators:	Bishop	Dial	Mitchem
Amari	Cabaniss	Dixon	Smith (B)
Bailey	Covington	Ellis	Smith (J)
Bedsole	deGraffenried	Hand	

—14

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Ellis offered the following amendment No. 3 to the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO H. B. 544, AS AMENDED

Amend H. B. 544, as amended, by deleting in Section 20.e., found on Page 22, lines 7, 8, 11 and 12 the words "State Superintendent of Education," and by substituting in lieu thereof the words

Executive Director of the Alabama Association of School Boards.

Further amend by inserting in Section 20.g., found on Page 23, line 27, following the word "education," the words

Executive Director of AASB,

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Ellis amendment No. 3 to Teague substitute to H. B. 544.

Which was adopted.

Yeas 16; Nays 14.

Abstaining 1.

Yeas:

Senators:	Corbett	Hilliard	Menton	
Aldridge	Denton	Holmes	Sanders	
Barron	Drinkard	Horn	Strong	
Bennett	Goodwin	Langford	Teague	
Cooley				—16

Nays:

Senators:	Bishop	Dial	Little	
Amari	Cabaniss	Dixon	Mitchem	
Bedford	Covington	Ellis	Smith (B)	
Bedsole	deGraffenried	Hand		—14

Abstaining: Senator Parsons

—1

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Little offered the following amendment No. 2 to the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO H. B. 544, AS AMENDED

I move to Amend H. B. 544, as amended, by deleting the sentence beginning on line 26 of Page 4 in its entirety and insert in lieu thereof the following sentence:

Five members of the Committee shall be appointed by the Alabama Commission on Higher Education from its Council of Deans of Education.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Little amendment No. 2 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 19; Nays 12.

Yeas:

Senators:	Bennett	Goodwin	Menton	
Aldridge	Cooley	Hilliard	Mitchem	
Amari	Corbett	Holmes	Sanders	
Barron	Denton	Horn	Strong	
Bedford	Drinkard	Langford	Teague	—19

Nays:

Sensors:	Covington	Dixon	Little
Bedsole	deGraffenried	Ellis	Smith (B)
Bishop	Dial	Hand	Smith (J)
Cabaniss			

—12

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Little offered the following amendment No. 3 to the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO H. B. 544, AS AMENDED

I move to Amend H. B. 544, as amended, by deleting the sentence beginning on Line 26 of Page 4 in its entirety and insert in lieu thereof the following sentence:

Five members of the committee shall be appointed by the Governor from the membership of deans comprising the Alabama Commission on Higher Education Council of Deans of Education.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Little amendment No. 3 for H. B. 544.

Which was adopted.

Yeas 18; Nays 13.

Yeas:

Sensors:	Cooley	Goodwin	Menton
Aldridge	Corbett	Hilliard	Sanders
Amari	Denton	Holmes	Strong
Bedford	Drinkard	Horn	Teague
Bennett	Foshee	Langford	

—18

Nays:

Sensors:	Covington	Ellis	Mitchem
Bedsole	deGraffenried	Hand	Smith (B)
Bishop	Dial	Little	Smith (J)
Cabaniss	Dixon		

—13

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Little offered the following amendment No. 4 to the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO H. B. 544, AS AMENDED

On page 20, line 4, after the period insert the following language:

Any evaluated teacher who has been demoted or dismissed or whose performance has been appraised to be unsatisfactory is hereby exempt from any and all civil liability.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Little amendment No. 4 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 18; Nays 15.

Yeas:

Senators:	Corbett	Hilliard	Parsons	
Aldridge	Denton	Holmes	Sanders	
Barron	Drinkard	Horn	Strong	
Bennett	Foshee	Langford	Teague	
Cooley	Goodwin	Menton		—18

Nays:

Senators:	Bishop	Dial	Little	
Amari	Cabaniss	Dixon	Mitchem	
Bedford	Covington	Ellis	Smith (B)	
Bedsole	deGraffenried	Hand	Smith (J)	—15

FURTHER CONSIDERATION OF H. B. 544

The Senate proceeded to further consideration of the Bill, H. B. 544, as amended.

Senator Little offered the following amendment No. 5 to the Bill, H. B. 544, as amended, to-wit:

AMENDMENT TO H. B. 544, AS AMENDED

On page 19, after line 6, insert the following language as a new Section 20 and renumber subsequent sections accordingly:

Section 20. Any teacher applying for a change in classification level must, at the time of application, waive his or her right to judicial review of performance evaluation but may exhaust all appeals through the state appeals process if aggrieved.

MOTION IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

Motion to table Little amendment No. 5 to Teague substitute for H. B. 544.

Which was adopted.

Yeas 18; Nays 15.

Yeas:

Senators:	Bennett	Foshee	Menton	
Aldridge	Cooley	Goodwin	Parsons	
Barron	Corbett	Holmes	Sanders	
Bedford	Denton	Horn	Strong	
Bedsole	Drinkard	Langford		—18

REGULAR SESSION
29th Day

1537

Nays:

Senators:	Covington	Ellis	Mitchem	
Amari	deGraffenried	Hand	Smith (B)	
Bishop	Dial	Hilliard	Smith (J)	
Cabaniss	Dixon	Little	Teague	—15

And said Bill, H. B. 544, as amended by the substitute, was read a third time at length and passed.

Yeas 18; Nays 16.

Yeas:

Senators:	Cooley	Hilliard	Parsons	
Aldridge	Corbett	Holmes	Sanders	
Barron	Denton	Horn	Strong	
Bedford	Drinkard	Langford	Teague	
Bennett	Goodwin	Menton		—18

Nays:

Senators:	Cabaniss	Dixon	Little	
Amari	Covington	Ellis	Mitchem	
Bailey	deGraffenried	Foshee	Smith (B)	
Bedsole	Dial	Hand	Smith (J)	
Bishop				—16

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 237. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters until disposed of:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 332	General Fund Budget	
H. B. 361	Walker Co. College, approp.	
H. B. 453	Lyman Ward, approp.	
H. B. 462	Marion Military Inst., approp.	
H. B. 471	Tuskegee Inst., approp.	
H. B. 452	Talladega College	

On motion of Senator Cooley, the Resolution was adopted by the Senate.

BUDGET ISOLATION RESOLUTIONS

Senator Bedford requested and received permission to suspend the Rules in order to offer the following Resolutions, to-wit:

Senator Bedford, B. I. R., H. B. 1062, Rules.

Also:

Senator Bedford, B. I. R., H. B. 1061, Rules.

SPECIAL ORDER
BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 332. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1986.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 332, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 332**A BILL**
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1986.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The monies in Section 2 are appropriated from the named funds for the 1985-86 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the total for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1986, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary,

REGULAR SESSION
29th Day

1539

and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

Fund Sources Included In Appropriation Total		Appropriation Total
General Fund	Trust Funds	

2A. LEGISLATIVE:

1. EXAMINERS OF PUBLIC
ACCOUNTS, DEPARTMENT
OF:

(a) Legislative Support-Audit Services Program	4,255,800
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The appropriation to the Examiners of Public Accounts shall include a transfer to the State Personnel Department of \$12,372.

SOURCE OF FUNDS:

(1) State General Fund	4,155,88		
(2) Federal Funds		100,000	
<hr/>			
Total Department of Examiners of Public Accounts	4,155,800	100,000	4,255,800

2. LEGISLATIVE COUNCIL:

(a) Legislative Operations and Support Program	180,000
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SOURCE OF FUNDS:

(1) State General Fund	180,000		
<hr/>			
Pursuant to Section 29-6-1 through 7, <u>Code of Alabama 1975</u> .			
Total Legislative Council	180,000		180,000

3. LEGISLATIVE FISCAL OFFICE:

(a) Legislative Operations and Support Program (to include program review and evaluation)	775,000
--	---------

SOURCE OF FUNDS:

(1) State General Fund	775,000		
<hr/>			

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Legislative Fiscal Office		775,000		775,000
4.	LEGISLATIVE REFERENCE SERVICE:			
	(a) Legislative Operations and Support Program			1,013,430
	The appropriation to the Leg- islative Reference Service shall include a transfer to the State Personnel Department of \$566.			
	SOURCE OF FUNDS:			
	(1) State General Fund	1,013,430		
	Total Legislative Reference Service	1,013,430		1,013,430
5.	LEGISLATURE:			
	(a) Legislative Operations and Support Program			1,257,642
	Of the above appropriation at least \$50,000 shall be allocated for Ways and Means Commit- tee, House Rules Committee and Speaker of the House Of- fice.			
	Of the above appropriation to the Legislature, at least \$10,000 shall be allocated to both the Office of the Speaker of the House of Representatives and to the Office of the Lieutenant Governor for miscellaneous operating expenses.			
	(b) Legislative Data Processing Program			165,000
	(c) Permanent Joint Highway Committee			250,000
	To reimburse the Highway De- partment for payments to Consultants and other ex- penses incurred by the High- way Department in a study of developmental highway sys- tems. The appropriation to the Legislature shall be expended under the provisions set forth in Act 84-130.			

**REGULAR SESSION
29th Day**

1541

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
	(1) State General Fund	1,672,642		
	Total Legislature	1,672,642		1,672,642
6. LEGISLATURES, NATIONAL CONFERENCE OF STATE:				
	(a) Legislative Operations and Support Program			59,761
SOURCE OF FUNDS:				
	(1) State General Fund	59,761		
	Total National Conference of State Legislatures	59,761		59,761
B. JUDICIAL:				
1. COURT OF CIVIL APPEALS:				
	(a) Court Operations Program			992,200
SOURCE OF FUNDS:				
	(1) State General Fund	992,200		
	Total Court of Civil Appeals ..	992,200		992,200
2. COURT OF CRIMINAL APPEALS:				
	(a) Court Operations Program			1,423,800
SOURCE OF FUNDS:				
	(1) State General Fund	1,423,800		
	Total Court of Criminal Appeals	1,423,800		1,423,800
3. JUDICIAL INQUIRY COMMISSION:				
	(a) Administrative Services Program			89,500
The appropriation to the Ju- dicial Inquiry Commission shall include a transfer to the State Personnel Department of \$40.				
SOURCE OF FUNDS:				
	(1) State General Fund	89,500		
	Total Judicial Inquiry Commission	89,500		89,500

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
4.	JUDICIAL RETIREMENT SYSTEM:			
	(a) Fringe Benefits Program			1,266,000
	SOURCE OF FUNDS:			
	(1) State General Fund	1,266,000		
	Total Judicial Retirement System	1,266,000		1,266,000
5.	SUPREME COURT:			
	(a) Court Operations Program			3,751,000
	SOURCE OF FUNDS:			
	(1) State General Fund	3,731,000		
	(2) Federal, Local and Miscel- laneous Funds		20,000	
	Total Supreme Court	3,731,000	20,000	3,751,000
6.	UNIFIED JUDICIAL SYSTEM:			
	(Administrative Office of Courts)			
	(a) Court Operations Program			52,011,763
	(b) Administrative Services Program			3,352,537
	(c) Consultant and Planning Services Program			250,000
	(d) DUI Program			100,000
	SOURCE OF FUNDS:			
	(1) State General Fund	55,714,300		
	Total Unified Judicial System	55,714,300		55,714,300
C.	EXECUTIVE			
1.	ACADEMY OF HONOR, ALABAMA:			
	(a) Historical Resources Manage- ment Program			850
	SOURCE OF FUNDS:			
	(1) State General Fund	850		
	As provided in Section 41- 11-6, <u>Code of Alabama</u> 1975			
	Total Alabama Academy of Honor	850		850

**REGULAR SESSION
29th Day**

1543

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
2.	ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:			
	(a) Professional and Occupational Licensing and Regulation Program			287,000
	The appropriation to the Ala- bama State Board of Public Accountancy shall include a transfer to the State Personnel Department of \$81.			
	SOURCE OF FUNDS:			
	(1) Alabama State Board of Public Accountancy Fund		287,000	
	As provided in Section 34- 1-22, <u>Code of Alabama</u> 1975. In addition to the amounts appropriated her- einabove to the State Board of Public Accoun- tancy, there is hereby ap- propriated such an amount as may be necessary to pay the refund of any applica- tion for license which may have been rejected by the Board or withdrawn by re- quest of applicant.			
	Total Alabama State Board of Public Accountancy		287,000	287,000
3.	ADJUSTMENT, BOARD OF:			
	(a) Special Services Program			230,000
	SOURCE OF FUNDS:			
	(1) State General Fund	15,000		
	For the State General Fund Contribution to the total expenditure of \$750,000 pursuant to Section 41-9- 73, <u>Code of Alabama 1975</u> , as amended.			
	(2) State General Fund, Estimated	200,000		
	For expenditures as pro- vided in Section 31-3-2 and Section 36-30-2, <u>Code of</u> <u>Alabama 1975</u> , as amended.			

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
(3) State General Fund- Administrative Costs		15,000		
Total Board of Adjustment		230,000		230,000
4. AERONAUTICS, DEPARTMENT OF:				
(a) Airport Development and Aer- onautical Support Program				682,699
The appropriation to the De- partment of Aeronautics shall include a transfer to the State Personnel Department of \$445.				
SOURCE OF FUNDS:				
(1) Airport Development Fund			682,699	
As provided by Section 4- 2-42, <u>Code of Alabama</u> <u>1975</u>				
Total Department of Aeronautics			682,699	682,699
5. AGING, COMMISSION ON:				
(a) Planning and Advocacy for El- derly Program				16,546,320
The appropriation to the Com- mission on Aging shall include a transfer to the State Person- nel Department of \$1,415.				
SOURCE OF FUNDS:				
(1) State General Fund- Transfer		2,105,000		
(2) Federal, Local and Miscel- laneous Funds			14,441,320	
Total Commission on Aging ..		2,105,000	14,441,320	16,546,320
6. AGRICULTURAL CENTER BOARD:				
(a) Agricultural Development Services Program				654,150
The appropriation to the Ag- ricultural Center Board shall include a transfer to the State Personnel Department of \$606.				
SOURCE OF FUNDS:				
(1) State General Fund		104,000		

**REGULAR SESSION
29th Day**

1545

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
For expense and awarding of prizes for fairs as pro- vided in Section 2-7-2, <u>Code of Alabama 1975.</u>				
(2) State General Fund- Transfer-Operations	100,000			
(3) State General Fund— Transfer-Livestock Coliseum	256,800			
(4) Livestock Coliseum Fund			193,350	
Total Agricultural Center Board	460,800	193,350		654,150
7. AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:				
(a) Agricultural Development Services Program				30,000
SOURCE OF FUNDS:				
(1) State General Fund	30,000			
Total Alabama Agricultural and Industrial Exhibit Commission	30,000			30,000
8. AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:				
(a) Agricultural Development Services Program				2,000,000
SOURCE OF FUNDS:				
(1) State General Fund	2,000,000			
Total Agricultural and Conser- vation Development Commission	2,000,000			2,000,000
The above appropriation to the Agricultural and Conservation Development Commission shall be conditional upon the ratification of the Constitu- tional Amendment creating this Commission.				

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
9.	AGRICULTURE AND INDUSTRIES, DEPARTMENT OF:			
	(a) Administrative Services Program			1,432,523
	(b) Agricultural Inspection Serv- ices Program			10,483,225
	(c) Laboratory Analysis and Dis- ease Control Program			3,909,270
	(d) Agricultural Development Services Program			1,252,230
	Of the above appropriation, \$250,000 shall be allocated for a Farmer's Market in Cullman County.			
	(e) Land Assistance Program			100,000
	To be administered in con- junction with the Federation of Southern Cooperatives for the benefit of small farmers and landowners. The appropria- tion to the Department of Ag- riculture and Industries shall include a transfer to the State Personnel Department of \$34,004.			
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer	7,694,900		
	(2) Federal, Local and Miscel- laneous Funds		1,877,048	
	(3) Shipping Point Inspection Fund		4,429,000	
	Pursuant to Sections 2-9- 20 through 21, Code of Alabama 1975. All fees and charges collected by the Commissioner of Agricul- ture and Industries and de- posited into said fund, and such appropriation to the Department of Agriculture and Industries shall in- clude all fees and charges collected and deposited therein for Shipping Point			

**REGULAR SESSION
29th Day**

1547

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
Inspection grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.				
(4) Agricultural Fund		3,176,300		
Total Department of Agriculture and Industries		7,694,900	9,482,348	17,177,248
10. AIR TRANSPORTATION AND SERVICE, DEPARTMENT OF:				
(a) Administrative Support Services Program		2,488,200		
The appropriation to the Department of Air Transportation and Service shall include a transfer to the State Personnel Department of \$1,294.				
SOURCE OF FUNDS:				
(1) State General Fund-Transfer		1,783,200		
(2) Departmental Receipts		705,000		
Total Department of Air Transportation and Service		1,783,200	705,000	2,488,200
11. ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:				
(a) Alcoholic Beverage Management Program		23,902,115		
(b) Enforcement Program		6,042,426		
(c) Administrative Services Program		3,901,115		
The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the State Personnel Department of \$77,267, and to the Department of Mental Health of \$1,000,000.				
SOURCE OF FUNDS:				
(1) ABC Board Fund		33,845,656		

JOURNAL OF THE SENATE, 1985
29th Day

Fund Sources Included
In Appropriation Total

General Fund	Trust Funds	Appropriation <u>Total</u>
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In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
<u>Total</u>				
now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.				
Total Alabama Alcoholic Beverage Control Board		33,845,656		33,845,656
12. ARCHITECTS, BOARD FOR REGISTRATION OF:				
(a) Professional and Occupational Licensing and Regulation Program				163,000
The appropriation to the Board for Registration of Architects shall include a transfer to the State Personnel Department of \$122.				
SOURCE OF FUNDS:				
(1) Fund of the Board for Registration of Architects			163,000	
As provided in Section 34-2-41, <u>Code of Alabama 1975</u> .				
Total Board for Registration of Architects		163,000		163,000
13. ARCHIVES AND HISTORY, DEPARTMENT OF:				
(a) Historical Resources Management Program				1,392,298
The appropriation to the Department of Archives and History shall include a transfer to the State Personnel Department of \$3,194.				
SOURCE OF FUNDS:				
(1) State General Fund		1,331,800		
(2) Federal Funds			60,498	
Total Department of Archives and History		1,331,800	60,498	1,392,298

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
14. ATTORNEY GENERAL, OFFICE OF THE:				
(a)	Legal Advice and Legal Services Program			5,460,661
(b)	Fair Marketing Practices Program			459,634
The appropriation to the Office of the Attorney General shall include a transfer to the State Personnel Department of \$11,240.				
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	4,323,766		
(2)	State General Fund - Transfer - Consumer Protection	402,134		
(3)	Transfer from Pensions and Security		422,929	
(4)	Federal, Local and Miscellaneous Funds		771,466	
Total Office of the Attorney General		4,725,900	1,194,395	5,920,295
15. AUDITOR, STATE:				
(a)	Fiscal Management Program			853,240
The appropriation to the State Auditor shall include a transfer to the State Personnel Department of \$1,981.				
SOURCE OF FUNDS:				
(1)	State General Fund	853,240		
Total State Auditor		853,240		853,240
16. BANKING DEPARTMENT, STATE:				
(a)	Charter, License, and Regulate Financial Institutions Program			2,668,827
The appropriation to the State Banking Department shall include a transfer to the State Personnel Department of \$3,962.				

**REGULAR SESSION
29th Day**

1551

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
(1) Banking Assessment Fees			2,159,878	
As provided in Section 5-2A-20, <u>Code of Alabama 1975</u> .				
(2) Bureau of Credit Unions			236,889	
As provided in Section 5-17-7 and Section 5-2A-103, <u>Code of Alabama 1975</u> , as amended.				
(3) Loan Examination Fund			272,060	
As provided in Section 5-2A-24, Section 5-16-38.1, and Section 5-18-5, <u>Code of Alabama 1975</u> , as amended.				
Total State Banking Department			2,668,827	2,668,827
17. BAR ASSOCIATION, ALABAMA STATE:				
(a) Professional and Occupational Licensing and Regulation Program				848,000
SOURCE OF FUNDS:				
(1) State Bar Association Fund			848,000	
As provided in Section 34-3-4, <u>Code of Alabama 1975</u> .				
Total Alabama State Bar Association			848,000	848,000
18. BEAR CREEK DEVELOPMENT AUTHORITY:				
(a) Water Resource Development Program				316,308
SOURCE OF FUNDS:				
(1) State General Fund	57,200			
(2) Federal, Local and Miscel- laneous Funds			259,108	
Total Bear Creek Develop- ment Authority	57,200	259,108		316,308

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
19.	BUILDING COMMISSION, STATE:			
(a)	Special Services Program			575,000
	The appropriation to the State Building Commission shall include a transfer to the State Personnel Department of \$1,698.			
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	375,000		
(2)	Federal, Local and Miscel- laneous Funds		200,000	
	Total State Building Commission	375,000	200,000	575,000
20.	CHILD ABUSE AND NEGLECT PREVENTION BOARD:			
(a)	Children's Trust Fund Program			458,000
	In accordance with Sections 26-16-1 through 12, and 26-16-30 through 33, Code of Alabama 1975, as amended. The appropriation to the Child Abuse and Neglect Prevention Board shall include a transfer to the State Personnel Department of \$40.			
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	250,000		
(2)	Children's Trust Fund, Estimated		208,000	
	Total Child Abuse and Neglect Prevention Board	250,000	208,000	458,000
21.	CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			59,630
	The appropriation to the Alabama State Board of Chiropractic Examiners shall include a transfer to the State Personnel Department of \$81.			

REGULAR SESSION
29th Day

1553

Fund Sources Included
In Appropriation Total

General Fund	Trust Funds	Appropriation <u>Total</u>
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SOURCE OF FUNDS:

(1) Alabama State Board of Chiropractic Examiner's Fund	59,630	
As provided in Section 34- 24-143, <u>Code of Alabama</u> 1975.		
Total Alabama State Board of Chiropractic Examiners	59,630	59,630

22. CONSERVATION AND
NATURAL RESOURCES,
DEPARTMENT OF:

(a) State Land Management Program	479,140	
(b) Outdoor Recreation Sites and Services Program	13,046,105	
(c) Marine Police Program	2,164,043	
(d) Game and Fish Program	11,573,640	
Of the above appropriation \$75,000 shall be used for a fea- sibility study and capital out- lay for inland port(s).		
(e) Marine Resources Program	1,716,340	
Of the above appropriation, \$200,000 shall be expended for the relocation of polluted live oysters in Mobile Bay in the event that the relocation has not been completed by October 1, 1985. In the event that the relocation of polluted live oys- ters has been started but not completed on October 1, 1985, the amount necessary to fund the difference between \$200,000 and the amount pre- viously expended for that pur- pose is hereby appropriated.		
(f) Land and Water Conservation Program	1,200,000	
(g) Administrative Services Program	2,335,606	
(h) Land Survey Program	342,387	
The appropriation to the De- partment of Conservation and		

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operating expenses.				
(i)	Dothan Landmarks Foundation			25,000
The appropriation to the Department of Conservation and Natural Resources shall include a transfer to the State Personnel Department of \$85,475.				
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer - State Parks ..	1,375,000		
	(2) Alabama Recreation Capital Development Fund		785,000	
	(3) Game and Fish Fund		11,573,640	
	(4) State Lands Fund		479,140	
The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.				
	(5) Marine Resources Fund		1,716,340	
In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be				

REGULAR SESSION
29th Day

1555

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
expended by the Commissioner of Conservation on such Marine Resources Division Programs or projects which he deems appropriate.			
(6) Marine Police Fund		2,164,043	
(7) State Parks Fund		331,920	
(8) Parks Revolving Fund ...		10,079,185	
(9) Administrative Funds		2,335,606	
The funds hereinabove appropriated shall be payable as provided in Section 9-2-1 et seq., <u>Code of Alabama 1975</u> .			
(10) Cigarette Tax		500,000	
(11) Land Survey Fund		342,387	
(12) Federal Land and Water Fund		1,200,000	
Total Department of Conservation and Natural Resources	1,375,000	31,507,261	32,882,261

23. CONTRACTORS, STATE
LICENSING BOARD FOR
GENERAL:

- (a) Professional and Occupational Licensing and Regulation Program 317,524

The appropriation to the State Licensing Board for General Contractors shall include a transfer to the State Personnel Department of \$445.

SOURCE OF FUNDS:

- (1) State Licensing Board for General Contractors Fund 317,524

Pursuant to Section 34-8-25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
amount as may be neces- sary to pay the refund of any application for license which may have been re- jected by the Board or ap- plication withdrawn by request of applicant.				
Total State Licensing Board for General Contractors			317,524	371,524
23-A. CAHABA ADVISORY COMMITTEE:				
(a) Historical Resources Manage- ment Program - Operations				10,000
(b) Cahaba Historical Site - Capi- tal Outlay				40,000
SOURCE OF FUNDS:				
(1) State General Fund		50,000		
Total Cahaba Advisory Committee		50,000		50,000
24. CORRECTIONS, DEPARTMENT OF:				
(a) Administrative Services and Logistical Support Program ...				7,700,000
(b) Institutional Services Correc- tions Program				93,993,300
(c) Correctional Industries Program				11,885,455
The appropriation to the De- partment of Corrections shall include a transfer to the State Personnel Department of \$185,546.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		101,543,300		
(2) Department of Correc- tions Fund			12,035,455	
The Commissioner of the Department of Correc- tions is authorized to uti- lize funds herein appropriated as matching contributions, where re- quired and appropriate, to				

REGULAR SESSION
29th Day

1557

Fund Sources Included
In Appropriation Total

General Fund	Trust Funds	Appropriation <u>Total</u>
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generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.

Total Department of Corrections	101,543,300	12,035,455	113,578,755
---------------------------------------	-------------	------------	-------------

25. COSMETOLOGY, ALABAMA BOARD OF:

- | | | | |
|--|--|--|---------|
| (a) Professional and Occupational Licensing and Regulation Program | | | 464,000 |
|--|--|--|---------|

The appropriation to the Alabama Board of Cosmetology shall include a transfer to the State Personnel Department of \$809.

SOURCE OF FUNDS:

- | | | | |
|---|--|---------|--|
| (1) Alabama Board of Cosmetology Fund | | 464,000 | |
|---|--|---------|--|

As provided in Section 34-7-42, Code of Alabama 1975.

Total Alabama Board of Cosmetology	464,000	464,000	
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26. COUNSELING, ALABAMA BOARD OF EXAMINERS IN:

- | | | | |
|--|--|--|--------|
| (a) Professional and Occupational Licensing and Regulation Program | | | 44,100 |
|--|--|--|--------|

SOURCE OF FUNDS:

- | | | | |
|---|--|--------|--|
| (1) Alabama Board of Examiners in Counseling Fund | | 44,100 | |
|---|--|--------|--|

As provided in Section 34-8A-6, Code of Alabama 1975.

Total Alabama Board of Examiners in Counseling	44,100	44,100	
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JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
27.	CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:			
(a)	Special Services Program, Estimated			321,151
	SOURCE OF FUNDS:			
(1)	Alabama Crime Victims Compensation Commis- sion Fund, Estimated		321,151	
	To be expended in accord- ance with Act No. 84-658.			
	Total Alabama Crime Victims Compensation Commission		321,151	321,151
28.	CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
(a)	Criminal Justice Information Services Program			2,875,188
	The appropriation to the Ala- bama Criminal Justice Infor- mation Center shall include a transfer to the State Personnel Department of \$3,477.			
	SOURCE OF FUNDS:			
(1)	State General Fund	2,292,000		
(2)	Federal, Local and Miscel- laneous Funds		583,188	
	Total Alabama Criminal Jus- tice Information Center	2,292,000	583,188	2,875,188
29.	DEVELOPMENT OFFICE, ALABAMA:			
(a)	Promotional Development Program - Alabama Film Commission			234,000
(b)	Administrative Services Pro- gram - Office of Minority Business			111,695
(c)	Industrial Development Pro- gram - Alabama Development Office			3,139,640
	Of the above appropriation, \$25,000 shall be expended for			

REGULAR SESSION
29th Day

1559

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
rural cultural support. The ap- propriation to the Alabama Development Office shall in- clude a transfer to the State Personnel Department of \$2,426.			
SOURCE OF FUNDS:			
(1) State General Fund - Transfer - Alabama De- velopment Office	3,089,640		
(2) State General Fund - Transfer - Office of Mi- nority Business	100,000		
(3) State General Fund - Transfer - Alabama Film Commission	234,000		
(4) Federal, Local and Miscel- laneous Funds		61,695	
Total Alabama Development Office	3,423,640	61,695	3,485,335

30. DISTRICT ATTORNEYS:

(a) Court Operations Programs ...	10,840,500
The proposed spending plan included in the above total is as follows:	
Salaries of District Attorneys	2,223,154
Salary of elected Deputy Dis- trict Attorney of the Bessemer Division of the 10th Judicial Circuit	55,178
For the use of the elected As- sistant District Attorney of the Bessemer Division of the 10th Judicial Circuit	129,413
Salaries and expenses of Su- pernumeary District Attorneys	892,320
For use in the District Attor- ney's Office of the 1st Judicial Circuit	114,310
For use in the District Attor- ney's Office of the 2nd Judicial Circuit	100,705

JOURNAL OF THE SENATE, 1985
29th Day

Fund Sources Included In Appropriation Total			Appropriation <u>Total</u>
General Fund	Trust Funds		
For use in the District Attorney's Office of the 3rd Judicial Circuit 169,487			
For use in the District Attorney's Office of the 4th Judicial Circuit 396,955			
For use in the District Attorney's Office of the 5th Judicial Circuit 343,016			
For use in the District Attorney's Office of the 6th Judicial Circuit 282,334			
For use in the District Attorney's Office of the 7th Judicial Circuit 220,125			
For use in the District Attorney's Office of the 8th Judicial Circuit 172,124			
For use in the District Attorney's Office of the 9th Judicial Circuit 137,632			
For use in the District Attorney's Office of the 10th Judicial Circuit 432,465			
For use in the District Attorney's Office of the 11th Judicial Circuit 122,902			
For use in the District Attorney's Office of the 12th Judicial Circuit 263,092			
For use in the District Attorney's Office of the 13th Judicial Circuit 407,889			
For use in the District Attorney's Office of the 14th Judicial Circuit 127,403			
For use in the District Attorney's Office of the 15th Judicial Circuit 402,699			
For use in the District Attorney's Office of the 16th Judicial Circuit 193,606			
For use in the District Attorney's Office of the 17th Judicial Circuit 85,015			

**REGULAR SESSION
29th Day**

1561

Fund Sources Included In Appropriation Total			Appropriation <u>Total</u>
General Fund	Trust Funds		
For use in the District Attorney's Office of the 18th Judicial Circuit 212,633			
For use in the District Attorney's Office of the 19th Judicial Circuit 161,869			
For use in the District Attorney's Office of the 20th Judicial Circuit 193,625			
For use in the District Attorney's Office of the 21st Judicial Circuit 146,714			
For use in the District Attorney's Office of the 22nd Judicial Circuit 127,578			
For use in the District Attorney's Office of the 23rd Judicial Circuit 314,453			
For use in the District Attorney's Office of the 24th Judicial Circuit 120,389			
For use in the District Attorney's Office of the 25th Judicial Circuit 115,768			
For use in the District Attorney's Office of the 26th Judicial Circuit 196,878			
For use in the District Attorney's Office of the 27th Judicial Circuit 160,615			
For use in the District Attorney's Office of the 28th Judicial Circuit 200,861			
For use in the District Attorney's Office of the 29th Judicial Circuit 223,784			
For use in the District Attorney's Office of the 30th Judicial Circuit 183,552			
For use in the District Attorney's Office of the 31st Judicial Circuit 118,773			
For use in the District Attorney's Office of the 32nd Judicial Circuit 153,552			

JOURNAL OF THE SENATE, 1985
29th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
For use in the District Attorney's Office of the 33rd Judicial Circuit	151,726		
For use in the District Attorney's Office of the 34th Judicial Circuit	104,881		
For use in the District Attorney's Office of the 35th Judicial Circuit	99,902		
For use in the District Attorney's Office of the 36th Judicial Circuit	101,050		
For use in the District Attorney's Office of the 37th Judicial Circuit	155,872		
For use in the District Attorney's Office of the 38th Judicial Circuit	143,485		
For use in the District Attorney's Office of the 39th Judicial Circuit	105,716		
Appropriations of Salaries of Personnel Established by Statute are estimated.			
Travel Expense of District Attorneys	75,000		
	10,840,500		
SOURCE OF FUNDS:			
(1) State General Fund	10,840,500		
Total District Attorneys	10,840,500		10,840,500

31. ECONOMIC AND

COMMUNITY AFFAIRS,

ALABAMA DEPARTMENT OF:

(a) Administrative Support Services Program	4,573,370
(b) Planning Program	37,273,014
(c) Special Services Program	24,461,568
(d) Skills Enhancement and Employment Opportunities Program	65,471,322

Of the above appropriation, \$15,000 shall be allocated to Mobile Community Action, Inc. for job education training.

**REGULAR SESSION
29th Day**

1563

	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Funds	
(e) Energy Management Program			7,323,758
(f) Traffic Control and Accident Prevention Program			3,040,586
(g) Law Enforcement Planning and Development Program			1,791,138
Of the above appropriation to the Law Enforcement Planning and Development Program, \$40,000 shall be allocated to the Marshall County Attention Home, \$20,000 shall be allocated to Glory House and \$10,000 shall be allocated to the Teenage Crisis Center of Selma.			
(h) Surplus Property Program			1,397,035
(i) Regional Planning Commission Program			300,000

The appropriation to the Alabama Department of Economic and Community Affairs shall include a transfer to the State Personnel Department of \$26,686.

SOURCE OF FUNDS:

(1) State General Fund - Transfer - Alabama Department of Economic and Community Affairs	6,684,755		
(2) Federal, Local and Miscellaneous Funds		133,076,631	
(3) Administrative Transfers		4,573,370	
(4) Administrative Transfer from Federal Surplus Property			1,084,008
(5) Administrative Transfers from Sale of State Owned Surplus Property		213,027	
Total Alabama Department of Economic and Community Affairs	6,684,755	138,947,036	145,631,791

**32. ELK RIVER DEVELOPMENT
AGENCY:**

(a) Water Resource Development Program	410,700
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JOURNAL OF THE SENATE, 1985
29th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
SOURCE OF FUNDS:			
(1) State General Fund	4,700		
(2) Federal, Local and Miscel- laneous Funds		406,000	
Total Elk River Development Agency	4,700	406,000	410,700
33. EMERGENCY MANAGEMENT AGENCY:			
(a) Readiness and Recovery Program			3,462,401
Of the above appropriation, \$100,000 shall be utilized for dam inspection. The appropri- ation to the Emergency Man- agement Agency shall include a transfer to the State Person- nel Department of \$3,113.			
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	881,200		
(2) Federal, Local and Miscel- laneous Funds		2,581,201	
Total Emergency Manage- ment Agency	881,200	2,581,201	3,462,401
34. ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:			
(a) Professional and Occupational Licensing and Regulation Program			335,462
The appropriation to the State Board of Registration for Professional Engineers and Land Surveyors shall include a transfer to the State Personnel Department of \$283.			
SOURCE OF FUNDS:			
(1) Professional Engineers' Fund		335,462	
As provided in Section 34- 11-36, <u>Code of Alabama</u> 1975.			

**REGULAR SESSION
29th Day**

1565

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total State Board of Registration for Professional Engineers and Land Surveyors			335,462	335,462
35. ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:				
(a) Environmental Management Program				9,118,340
(b) Special Projects Program				400,000
The appropriation to the Department of Environmental Management shall include a transfer to the State Personnel Department of \$18,559.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		2,950,000		
(2) Environmental Management Fees and Fines			1,485,000	
As provided in Section 22-22A-11, Code of Alabama 1975 (1983 Cum. Supp.).				
(3) Federal Funds			5,083,340	
Total Department of Environmental Management		2,950,000	6,568,340	9,518,340
36. ETHICS COMMISSION, ALABAMA:				
(a) Regulation of Public Officials and Employees Program				285,900
The appropriation to the Ethics Commission shall include a transfer to the State Personnel Department of \$526.				
SOURCE OF FUNDS:				
(1) State General Fund		285,900		
Total Alabama Ethics Commission		285,900		285,900

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
37. FARMERS' MARKET AUTHORITY:				
(a)	Agricultural Development Services Program			128,059
	The appropriation to the Farmers' Market Authority shall include a transfer to the State Personnel Department of \$202.			
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer For Administration	80,700		
(2)	Farmers' Market Author- ity Fund-Revenue and Capital Outlay Account		47,359	
	Total Farmers' Market Authority	80,700	47,359	128,059
38. FINANCE, DEPARTMENT OF:				
(a)	Fiscal Management Program			3,240,635
(b)	Administrative Support Ser- vices Program			4,736,057
(c)	Hiring of Additional Personnel for Purchasing Division			25,000
	The appropriation to the De- partment of Finance shall in- clude a transfer to the State Personnel Department of \$40,514.			
SOURCE OF FUNDS:				
(1)	State General Fund	7,951,692		
(2)	Miscellaneous Funds		50,000	
	Total Department of Finance	7,951,692	50,000	8,001,692
39. FINANCE, DEPARTMENT OF - STATE INSURANCE FUND:				
(a)	Administrative Support Ser- vices Program			10,130,669
SOURCE OF FUNDS:				
(1)	State Insurance Fund	10,130,669		
	As provided in Sections 41- 15-1 through 13, <u>Code of</u> Alabama 1975.			

**REGULAR SESSION
29th Day**

1567

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Department of Finance - State Insurance Fund			10,130,669	10,130,669
40. FOREIGN TRADE RELATIONS COMMISSION:				
(a) Special Services Program				84,000
The appropriation to the Foreign Trade Relations Commission shall include a transfer to the State Personnel Department of \$121.				
SOURCE OF FUNDS:				
(1) State General Fund	84,000			
Total Foreign Trade Relations Commission	84,000			84,000
41. FORENSIC SCIENCES, DEPARTMENT OF:				
(a) Forensic Science Service Program				6,042,000
The appropriation to the Department of Forensic Sciences shall include a transfer to the State Personnel Department of \$7,642.				
SOURCE OF FUNDS:				
(1) State General Fund	5,091,000			
(2) State General Fund-Capital Outlay	700,000			
(3) Federal, Local and Miscellaneous Funds			251,000	
Total Department of Forensic Sciences	5,791,000	251,000		6,042,000
42. FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:				
(a) Professional and Occupational Licensing and Regulation Program				17,900
SOURCE OF FUNDS:				
(1) Professional Foresters' Fund			17,900	
As provided in Section 34-12-36, <u>Code of Alabama</u> <u>1975.</u>				

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
Total Alabama State Board of Registration for Foresters			17,900	17,900
43. FORESTRY COMMISSION, ALABAMA:				
(a)	Forest Resource Protection Program			11,749,780
(b)	Forest Resource Development Program			2,987,530
(c)	Administration Services Program			2,717,690
Of the above appropriation to the Alabama Forestry Com- mission, \$200,000 shall be used for the construction of a new 7th District Forestry Head- quarters and shop in Escambia County. The appropriation to the Alabama Forestry Com- mission shall include a transfer to the State Personnel Depart- ment of \$33,236.				
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	9,200,000		
(2)	Federal and Local Funds		2,337,000	
(3)	Forestry Commission Fund		5,918,000	
Of the above appropria- tions, \$650,000 shall be used for rural and com- munity fire protection.				
Total Alabama Forestry Commission		9,200,000	8,255,000	17,455,000
Of the above appropria- tion to the Alabama For- estry Commission, there is hereby granted authority to spend up to \$250,000 for the purchase and develop- ment of a forest tree nurs- ery. In addition to the above appropriation to the Alabama Forestry Com- mission, there is hereby conditionally appropriated				

REGULAR SESSION
29th Day

1569

Fund Sources Included
In Appropriation Total

General Fund	Trust Funds	Appropriation <u>Total</u>
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\$350,000 for capital outlay from the Alabama Forestry Commission Fund contingent on the satisfactory sale of certain present property where the Birmingham District Headquarters is located in Jefferson County. The proceeds from said sale shall be covered into the Alabama Forestry Commission Fund. The above conditional appropriation shall be used to purchase land, building(s), and/or construction of building(s) in order to relocate the Birmingham District Headquarters. This conditional appropriation shall become absolute when said sale is concluded, recommended by the Finance Director and approved by the Governor. There is hereby appropriated \$100,000 to the Forestry Commission for the purchase of aircraft for forest fire surveillance for District 3 to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.

44. FUNERAL SERVICES,
ALABAMA BOARD OF:

- (a) Professional and Occupational
Licensing and Regulation
Program

110,000

The appropriation to the Alabama Board of Funeral Service shall include a transfer to the State Personnel Department of \$121.

SOURCE OF FUNDS:

- (1) Alabama Funeral Directors and Embalmers
Fund

110,000

JOURNAL OF THE SENATE, 1985
29th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
As provided in Section 34-13-23, <u>Code of Alabama 1975</u> , as amended.			
Total Alabama Board of Funeral Service		110,000	110,000
45. GEOLOGICAL SURVEY:			
(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program			2,207,061
Of the above appropriation, a sufficient amount not exceeding \$20,000 shall be used for a ground water survey in Baldwin County. The appropriation to the Geological Survey shall include a transfer to the State Personnel Department of \$5,378.			
SOURCE OF FUNDS:			
(1) State General Fund	1,711,768		
(2) Federal, Local and Miscellaneous Funds		495,293	
Total Geological Survey	1,711,768	495,293	2,207,061
46. GORGAS MEMORIAL BOARD:			
(a) Historical Resources Management Program			12,700
SOURCE OF FUNDS:			
(1) State General Fund	8,700		
As provided in Section 41-9-220, <u>Code of Alabama 1975</u> and an additional amount.			
(2) Federal, Local and Miscellaneous Funds		4,000	
Total Gorgas Memorial Board	8,700	4,000	12,700
47. GOVERNOR'S CONTINGENCY FUND:			
(a) Executive Direction Program			400,000

**REGULAR SESSION
29th Day**

1571

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
(1) State General Fund	400,000			
Total Governor's Contingency Fund	400,000			400,000
48. GOVERNOR'S MANSION ADVISORY BOARD:				
(a) Historical Resources Manage- ment Program				10,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	10,000			
Total Governor's Mansion Ad- visory Board	10,000			10,000
49. GOVERNOR'S MANSION AND COASTAL MANSION:				
(a) Executive Direction Program				200,000
SOURCE OF FUNDS:				
(1) State General Fund	200,000			
Total Governor's Mansion and Coastal Mansion	200,000			200,000
50. GOVERNOR'S OFFICE:				
(a) Executive Direction Program				1,530,000
The appropriation to the Gov- ernor's Office shall include a transfer to the State Personnel Department of \$2,264.				
SOURCE OF FUNDS:				
(1) State General Fund	1,530,000			
Total Governor's Office	1,530,000			1,530,000
51. GOVERNOR'S OFFICE -LEGAL:				
(a) Executive Direction Program				102,000
SOURCE OF FUNDS:				
(1) State General Fund	102,000			
Total Governor's Office - Legal	102,000			102,000
52. GOVERNOR'S VOLUNTARY CITIZEN PARTICIPATION:				
(a) Executive Direction Program				50,000

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
(1) Federal Funds		50,000		
Total Governor's Voluntary Citizen Participation		50,000		50,000
53. HEALTH, DEPARTMENT OF PUBLIC:				
(a) Personal Health Improvement Program				53,163,254
(b) Health Support Services Program				49,737,644
Of this amount \$7,087,171 shall go to support local health de- partment services of which \$3,685,000 shall be used to pro- vide a minimum staff in each of the sixty-seven counties, and the remaining amount shall be distributed on a one-to-one match with locally appropri- ated funds for the support of local health services on a per capita basis. At the end of the first quarter, any unmatched funds may be distributed to other counties with appropri- ate matching funds.				
(c) Administrative Services Program				6,029,415
The appropriation to the De- partment of Public Health shall include a transfer to the State Personnel Department of \$146,731.				
SOURCE OF FUNDS:				
(1) State General Fund		16,300,000		
(2) Cigarette Tax - \$.01				1,000,001
As provided in Section 40- 25-2 and Section 40-25- 23, <u>Code of Alabama 1975</u> , as amended.				
(3) Cigarette Tax - \$.02				2,200,000
As provided in Section 40- 25-2 and Section 40-25- 23, <u>Code of Alabama 1975</u> , as amended.				

REGULAR SESSION
29th Day

1573

	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Funds	
(4) Vital Statistics Fund		1,582,711	
(5) Hospital Licensing Fund		205,000	
(6) Emergency Medical Services Fund		40,000	
As provided in Section 22- 18-4, <u>Code of Alabama</u> 1975.			
(7) Local Health Departments		32,000,000	
(8) Nuclear Monitoring Fund		227,985	
(9) Radiation Safety Fund ...		65,000	
(10) Miscellaneous Funds		4,621,451	
(11) Federal Funds		50,688,165	
Total Department of Public Health	16,300,000	92,630,313	108,930,313

54. HEALTH PLANNING
AGENCY, STATE:

- (a) Health Planning Development
and Regulation Program 1,831,842

The appropriation to the State
Health Planning Agency shall
include a transfer to the State
Personnel Department of
\$1,981.

SOURCE OF FUNDS:

(1) State General Fund - Transfer	316,842		
(2) Certificate of Need Fees ...		200,000	
(3) Federal, Local and Miscel- laneous Funds		1,315,000	
Total State Health Planning Agency	316,842	1,515,000	1,831,842

55. HEARING AID DEALERS,
ALABAMA BOARD OF:

- (a) Professional and Occupational
Licensing and Regulation
Program 20,000

SOURCE OF FUNDS:

(1) State Board of Health - Hearing Aid Fund		20,000	
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JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
As provided in Section 34-14-33, <u>Code of Alabama</u> 1975.				
Total Alabama Board of Hearing Aid Dealers			20,000	20,000
56.	HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			102,596
The appropriation to the Board of Heating and Air Conditioning Contractors shall include a transfer to the State Personnel Department of \$162.				
SOURCE OF FUNDS:				
	(1) Heating and Air Conditioning Contractors Fund		102,596	
Total Board of Heating and Air Conditioning Contractors			102,596	102,596
57.	ALABAMA HERITAGE TRUST FUND:			
	(a) Fiscal Management Program			20,000
SOURCE OF FUNDS:				
	(1) Heritage Trust Income		20,000	
Total Alabama Heritage Trust Fund			20,000	20,000
58.	HIGHWAY DEPARTMENT:			
	(a) Central Administration Program			10,177,557
	(b) Division and District Supervision Program			18,676,716
	(c) Operations & Support Services Program			7,929,725
	(d) Maintenance Program			115,977,772
	(e) Non-Programmatic Expenditures			84,513,197
Proposed Spending Plan for the above (e) includes the following:				
Debt Service 83,632,769				

**REGULAR SESSION
29th Day**

1575

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
	Equipment - Road Machinery	22,000		
	Equipment - Other than Automotive	858,428		
(f)	Construction - Federal Aid Program			337,134,800
	Proposed Spending Plan for the above (f) includes the fol- lowing:			
	Federal Aid Matching	49,377,800		
	Non-Participating Work on Federal Projects	1,000,000		
	Federal Aid	286,757,000		
(g)	Construction - State Program			15,000,000
(h)	Operations - Land and Buildings			1,458,500

The appropriation to the Highway Department shall include a transfer to the State Personnel Department of \$321,481.

SOURCE OF FUNDS:

(1)	State General Fund - Transfer	90,250
(2)	Public Road and Bridge Fund	304,021,017
(3)	Federal Aid	286,757,000

There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Highway Finance Corporation, a total of \$83,632,769 or so much as may be necessary for payment of said principal and interest at their

JOURNAL OF THE SENATE, 1985
29th Day

Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
General Fund	Trust Funds	

respective maturities, of the revenues pledged for such payment. The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections, (a), (b), (c), (d), (e), (f), (g), (h), of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

- (1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full -
- (2) The appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not

**REGULAR SESSION
29th Day**

1577

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available.				
Total Highway Department ...		90,250	590,778,017	590,868,267
59. HISTORIC BLAKELEY AUTHORITY:				
(a) Tourism and Travel Promotion Program				200,010
SOURCE OF FUNDS:				
(1) State General Fund		130,000		
(2) Federal, Local and Miscellaneous Funds			70,010	
Total Historic Blakeley Authority		130,000	70,010	200,010
60. HISTORIC CHATTAHOOCHEE COMMISSION:				
(a) Historical Resources Management Program				158,500
(b) Capital Outlay				100,000
SOURCE OF FUNDS:				
(1) State General Fund		189,500		
(2) Federal, Local and Miscellaneous Funds			69,000	
Total Historic Chattahoochee Commission.....		189,500	69,000	258,500
61. HISTORICAL COMMISSION, ALABAMA:				
(a) Historical Resources Management Program				1,372,601
(b) Historical Resources Management Program - Capital Outlay				500,000

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>	
		General Fund	Trust Funds		
The appropriation to the Alabama Historical Commission shall include a transfer to the State Personnel Department of \$3,315.					
SOURCE OF FUNDS:					
(1) State General Fund -					
Transfer		727,634			
The State General Fund appropriation shall be distributed as follows:					
Historical Commission, Alabama 507,705					
Historical Commission, Alabama-La Grange 8,140					
Historical Commission, Alabama-Richmond P. Hobson Memorial Board 5,994					
Historical Commission, Alabama-Fort Morgan ... 115,545					
Historical Commission, Alabama-Fort Toulouse 21,250					
Historical Commission, Alabama-John T. Morgan House, Selma 12,000					
Historical Commission, Alabama-Kennedy House, Abbeville 12,000					
Historical Commission, Alabama-Gorgas House, Tuscaloosa 10,000					
Northeast Alabama Historical Program 25,000					
The Progressive League of Mobile 10,000					
(2) State General Fund - Transfer - Capital Outlay		500,000			
The State General Fund-Transfer for Capital Outlay shall be distributed as follows:					
Ballamonte 250,000					
Cahaba 200,000					
Octagon House 50,000					

**REGULAR SESSION
29th Day**

1579

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
(3) Federal, Local and Miscellaneous Funds			644,967	
Total Alabama Historical Commission		1,227,634	644,967	1,872,601
62. INDIANS AFFAIRS COMMISSION, ALABAMA:				
(a) Social Services Program				140,000
The above appropriation is to be expended in accordance with Act No. 84-257.				
SOURCE OF FUNDS:				
(1) State General Fund		140,000		
Total Alabama Indian Affairs Commission		140,000		140,000
63. INDUSTRIAL RELATIONS, DEPARTMENT OF:				
(a) Unemployment Compensation Program				16,656,189
(b) Skills Enhancement and Employment Opportunities Program				20,847,623
(c) Industrial Safety and Accident Prevention Program				3,297,404
(d) Administrative Services Program				8,605,085
(e) Employment and Social Opportunities Program				383,221
(f) Workmen's Compensation Program				544,828
The appropriation to the Department of Industrial Relations shall include a transfer to the State Personnel Department of \$152,917.				
SOURCE OF FUNDS:				
(1) State General Fund		1,305,906		
(2) Federal, Local and Miscellaneous Funds			49,028,444	
Total Department of Industrial Relations		1,305,906	49,028,444	50,334,350

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
64. INSURANCE, DEPARTMENT OF:				
(a)	Regulatory Services Program			1,752,914
	The appropriation to the Department of Insurance shall include a transfer to the State Personnel Department of \$4,690.			
SOURCE OF FUNDS:				
(1)	State General Fund	1,433,000		
(2)	Fire Marshals' Fund		319,914	
	As provided in Section 24-5-10, Code of Alabama 1975, as amended. Any balance in excess of \$50,000 at the end of the fiscal year shall be transferred to the State General Fund.			
	Total Department of Insurance	1,433,000	319,914	1,752,914
65. INSURANCE BOARD, STATE EMPLOYEES':				
(a)	Administrative Support Services Program			78,000
	The appropriation to the State Employees' Insurance Board shall include a transfer to the State Personnel Department of \$81.			
SOURCE OF FUNDS:				
(1)	State General Fund	78,000		
	Total State Employees' Insurance Board	78,000		78,000
	In addition to the above appropriation to the Employees' Insurance Board, there is hereby conditionally appropriated \$800,000 from the State General Fund to be conditional upon the passage of legislation authorizing the partial funding of the cost of coverage for health insurance for retired state employees. These funds			

REGULAR SESSION
29th Day

1581

Fund Sources Included In Appropriation Total			
General Fund	Trust Funds	Appropriation Total	
are also conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.			
66. INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a) Professional and Occupational Licensing and Regulation Program			5,700
SOURCE OF FUNDS:			
(1) Interior Designers Fund ...		5,700	
As provided in Section 34-15A- 7, <u>Code of Alabama 1975</u> (1983 Cum. Supp.).			
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Total Alabama State Board of Registration for Interior Designers		5,700	5,700
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67. INTERNATIONAL TRADE, OFFICE OF:			
(a) Special Projects Program			500,000
To be expended in accordance with Executive Order Number 31, dated September 30, 1984.			
SOURCE OF FUNDS:			
(1) State General Fund - Transfer		250,000	
(2) Federal, Local and Miscel- laneous Funds			250,000
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Total Office of International Trade		250,000	250,000
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68. LABOR, DEPARTMENT OF:			
(a) Regulatory Services Program			381,300
The appropriation to the De- partment of Labor shall in- clude a transfer to the State Personnel Department of \$728.			
SOURCE OF FUNDS:			
(1) State General Fund		332,300	

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
(2) Federal, Local and Miscellaneous Funds			49,000	
Total Department of Labor		332,300	49,000	381,300
69. LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF:				
(a) Professional and Occupational Licensing and Regulation Program				12,335
SOURCE OF FUNDS:				
(1) Landscape Architects Fund			12,335	
As provided in Section 34- 17-6, <u>Code of Alabama</u> 1975.				
Total Board of Examiners of Landscape Architects			12,335	12,335
70. LIQUEFIED PETROLEUM GAS BOARD:				
(a) Regulatory Services Program				245,500
The appropriation to the Liquefied Petroleum Gas Board shall include a transfer to the State Personnel Department of \$526.				
SOURCE OF FUNDS:				
(1) Liquefied Petroleum Gas Board Fund			245,500	
Total Liquefied Petroleum Gas Board			245,500	245,500
71. MEDICAID AGENCY, ALABAMA:				
(a) Medical Assistance through Medicaid Program				455,421,000
The appropriation to the Alabama Medicaid Agency shall include a transfer to the State Personnel Department of \$20,176.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		105,872,373		

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
(2) Transfer from Pensions and Security		695,000	
(3) Transfer from Mental Health		18,743,200	
(4) Federal, Local and Miscel- laneous Funds		330,110,427	
Total Alabama Medicaid Agency	105,872,373	349,548,627	455,421,000

72. MENTAL HEALTH AND
MENTAL RETARDATION,
DEPARTMENT OF:

(a) Institutional Treatment and Care-Mental Illness Program	82,273,114
(b) Institutional Treatment and Care-Mental Retardation Program	65,486,245
(c) Institutional Treatment and Care-Criminally Insane Program	5,028,446
(d) Non-Institutional Treatment and Care Program	20,590,792
(e) Administrative Services Program	4,689,493
(f) Caradale Alcoholism Facility- Cheaha Mental Health Cen- ter - For Capital Outlay	175,000
(g) Special Community Mental Health Services Program	50,000

The above appropriation shall
be distributed as follows: West
Alabama Community Mental
Health Center, \$30,000; South-
west Alabama Community
Mental Health Center, \$20,000.

(h) Community Mental Health Program	24,191,662
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It is the intent of the Legisla-
ture that this appropriation be
used to fund Community Men-
tal Health and Mental Retar-
dation Programs and that none
of said appropriation be shifted
to any other program. The ap-
propriation herein provided
shall be for the provision of

JOURNAL OF THE SENATE, 1985
29th Day

Fund Sources Included
In Appropriation Total

General Fund	Trust Funds	Appropriation <u>Total</u>
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community mental illness and substance abuse programs and services operated by Mental Health/Mental Retardation Boards created pursuant to Section 22-51-1 et seq., Code of Alabama 1975, and certified by the Department of Mental Health and Mental Retardation. In the event that no such program is certified by the Department of Mental Health and Mental Retardation in a particular catchment area, funds under this appropriation may be expended through other certified community programs in said catchment area.

Of the appropriation hereinabove made to the Department of Mental Health and Mental Retardation, there shall be at least \$6,290,000 expended for the treatment of rehabilitation and for education on alcohol and drug abuse. In addition to the appropriation hereinabove made to the Department of Mental Health and Mental Retardation there is hereby conditionally appropriated the sum of \$5,500,000 to the Glen Ireland Mental Health Center to be conditioned on availability of funds and the approval of the Governor.

The appropriation to the Department of Mental Health and Mental Retardation shall include a transfer to the State Personnel Department of \$386,538.

SOURCE OF FUNDS:

(1) Special Mental Health Trust Fund	114,713,693
For Operations and Maintenance of the State Mental Health and Mental Retardation Department including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.	
(2) Special Mental Health Trust Fund-Community Programs	11,589,282
(3) Transfer from ABC Profits	1,000,000

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
(4) Cigarette Tax		6,539,000	
(5) Transfer from Pensions and Security - Title XX Funds - Community Programs		4,500,000	
(6) Federal, Local and Miscel- laneous Funds		64,142,777	
Total Department of Mental Health and Mental Retardation		202,484,752	202,484,752

73. MILITARY DEPARTMENT:

(a) Military Operations Program	5,750,000
(b) Capital Outlay	1,450,000

The appropriation to the Mil-
itary Department shall include
a transfer to the State Person-
nel Department of \$13,060.

SOURCE OF FUNDS:

(1) State General Fund- Operations	1,725,813
(2) State General Fund-Quar- terly Allowances Head- quarters-Regular Allowance Units to be used solely for operating ex- penses; provided, that no more than \$4,500 shall be allotted in any fiscal year for the Alabama National Guard Headquarters	1,484,000
(3) State General Fund- Transfer-Capital Outlay for Architect and Engi- neering Services and spec- ifications and construction of facilities	1,450,000
(4) State General Fund-Ac- tive Military Service	123,900
(5) State General Fund- Transfer to Armory Commission	2,404,287
(6) State General Fund-Drop- ping Allowance	5,000
(7) State General Fund-State Defense Force	7,000

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
Total Military Department		7,200,000		7,200,000
74. MILITARY DEPARTMENT- ARMORY COMMISSION OF ALABAMA:				
(a) Military Operations Program				4,241,229
SOURCE OF FUNDS:				
(1) Transfer from Military Department			2,404,287	
(2) Federal, Local and Miscel- laneous Funds			1,836,942	
The funds hereinabove ap- propriated to the Armory Commission shall be pay- able from the funds in the State Treasury to the credit of the Armory Commis- sion and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities.				
Provided, however, that the last Federal Government service contract reim- bursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission Fund at the end of the fis- cal year in excess of \$50,000 shall be transferred to the State General Fund.				
Total Armory Commission of Alabama			4,241,229	4,241,229
74-A. ALABAMA MILITARY HALL OF HONOR:				
(a) Special Services Program				50,000
The above appropriation to the Alabama Military Hall of Honor at Marion Military In- stitute is a one-time appropri- ation for capital outlay and is pursuant to Executive Order #59, dated 1-23-1975.				

REGULAR SESSION
29th Day

1587

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
(1) State General Fund-Capi- tal Outlay	50,000			
Total Alabama Military Hall of Honor	50,000			50,000
75. MOTOR SPORTS HALL OF FAME:				
(a) Tourism and Travel Promo- tion Program				186,200
SOURCE OF FUNDS:				
(1) State General Fund	100,000			
(2) Federal and Miscellaneous Fund			86,200	
Total Motor Sports Hall of Fame	100,000	86,200		186,200
76. MUSIC HALL OF FAME BOARD:				
(a) Fine Arts Program				210,000
(b) Research Library on Southern Music				50,000
SOURCE OF FUNDS:				
(1) State General Fund	150,000			
(2) Federal, Local and Miscel- laneous Funds			110,000	
Total Music Hall of Fame Board	150,000	110,000		260,000
77. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:				
(a) Professional and Occupational Licensing and Regulation Program				40,000
The appropriation to the Board of Examiners of Nursing Home Administrators shall include a transfer to the State Personnel Department of \$40.				
SOURCE OF FUNDS:				
(1) Board of Examiners of Nursing Home Adminis- trators Fund			40,000	

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
As provided in Section 34-20-7, <u>Code of Alabama 1975</u> , as amended.				
Total Board of Examiners of Nursing Home Administrators			40,000	40,000
78. OIL AND GAS BOARD:				
(a) Management and Regulation of Oil and Gas Exploration and Development Program				2,127,432
The appropriation to the Oil and Gas Board shall include a transfer to the State Personnel Department of \$3,882.				
SOURCE OF FUNDS:				
(1) State General Fund		2,107,432		
(2) Federal, Local and Miscellaneous Funds			20,000	
Total Oil and Gas Board		2,107,432	20,000	2,127,432
79. PARDONS AND PAROLES, BOARD OF:				
(a) Administration of Pardons and Paroles Program				8,821,041
The appropriation to the Board of Pardons and Paroles shall include a transfer to the State Personnel Department of \$19,691.				
SOURCE OF FUNDS:				
(1) State General Fund		6,993,615		
(2) Probationers Upkeep Fund			1,725,460	
In accordance with Section 15-22-2, <u>Code of Alabama 1975</u> .				
(3) Federal, Local and Miscellaneous Funds			101,966	
Total Board of Pardons and Paroles		6,993,615	1,827,426	8,821,041
80. PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:				
(a) Retirement Systems Program				236,648

Fund Sources Included
In Appropriation Total

General Fund	Trust Funds	Appropriation Total
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The appropriation to the Alabama Peace Officers' Annuity and Benefit Fund shall include a transfer to the State Personnel Department of \$283.

SOURCE OF FUNDS:

(1) Peace Officers' Annuity and Benefit Fund	236,648	
As provided in Section 36-21-66, Code of Alabama 1975.		
Total Alabama Peace Officers' Annuity and Benefit Fund	236,648	236,648

81. PENSIONS AND SECURITY,
DEPARTMENT OF:

(a) Economic Assistance Program	173,743,501
(b) Social Services Program	72,340,209
At least \$110,000 of the above appropriation shall be used to fund additional full-time case-workers positions and an additional clerical position under the adoption services element. To the extent practicable, such additional positions shall be filled by persons currently employed within the Department of Pensions and Security.	
(c) Title XX Transfer to the Department of Mental Health and Mental Retardation	4,500,000
(d) Client Services Allotment to County Departments of Pensions and Security	165,500

It is the intent of the Legislature that allotments be made to the county departments of Pensions and Security to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Pensions and Security. Allotments to the county

JOURNAL OF THE SENATE, 1985
29th Day

Fund Sources Included In Appropriation Total		Appropriation Total
General Fund	Trust Funds	

departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, \$3,500; county populations less than 50,000, \$2,000.

The appropriation to the Department of Pensions and Security shall include a transfer to the State Personnel Department of \$345,337.

SOURCE OF FUNDS:

(1) Federal, Local and Miscellaneous Funds	170,058,183	
(2) ABC Profits	1,250,000	
(3) Whiskey Tax	18,900,000	
(4) Beer Tax	7,630,000	
(5) Pension Residue	12,360,000	
(6) Sales Tax	1,322,000	
(7) Franchise Tax	10,954,500	
(8) Contracts, Service Fees ..	60,000	
(9) Child Support Collections	1,423,000	
(10) Sales Tax for Food Stamps	16,252,827	
(11) Cigarette Tax	4,200,000	
(12) Contractor's Gross Receipts Tax	1,838,700	
(13) Title XX Funds - Transfer to the Department of Mental Health and Mental Retardation	4,500,000	
Total Department of Pensions and Security	250,749,210	250,749,210

**82. PERSONNEL DEPARTMENT,
STATE:**

(a) Administrative Support Program	2,400,000
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SOURCE OF FUNDS:

(1) Transfer from Department of Aeronautics	445
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**REGULAR SESSION
29th Day**

1591

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
(2) Transfer from Commis- sion on Aging		1,415	
(3) Transfer from Board of Public Accountancy		81	
(4) Transfer from Depart- ment of Agriculture and Industries		34,004	
(5) Transfer from Agricul- tural Center Board		606	
(6) Transfer from Depart- ment of Air Transporta- tion and Service		1,294	
(7) Transfer from Alcoholic Beverage Control Board		77,267	
(8) Transfer from Board of Registration for Architects		122	
(9) Transfer from Archives and History		3,194	
(10) Transfer from the Coun- cil on Arts and Humanities		606	
(11) Transfer from the Office of the Attorney General		11,240	
(12) Transfer from the State Auditor		1,981	
(13) Transfer from State Banking Department		3,962	
(14) Transfer from Finance - Alabama Building Authority		2,911	
(15) Transfer from Finance - Alabama Building Fi- nance Authority		242	
(16) Transfer from Building Commission		1,698	
(17) Transfer from Child Abuse and Neglect Pre- vention Board		40	
(18) Transfer from Chiroprac- tic Examiners		81	
(19) Transfer from Civil Air Patrol		81	

JOURNAL OF THE SENATE, 1985
29th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
(20) Transfer from Department of Conservation and Natural Resources ..		85,475	
(21) Transfer from State Licensing Board for General Contractors		445	
(22) Transfer from Department of Corrections		185,546	
(23) Transfer from Board of Cosmetology		809	
(24) Transfer from Criminal Justice Information Center		3,477	
(25) Transfer from Alabama Development Office		2,426	
(26) Transfer from State Docks		40,109	
(27) Transfer from Department of Education		101,850	
(28) Transfer from the Department of Economic and Community Affairs		26,686	
(29) Transfer from Emergency Management Agency		3,113	
(30) Transfer from Local Emergency Management		920	
(31) Transfer from Board of Registration for Professional Engineers and Land Surveyors		283	
(32) Transfer from Department of Environmental Management		18,559	
(33) Transfer from Ethics Commission		526	
(34) Transfer from Examiners of Public Accounts		12,372	
(35) Transfer from Farmer's Market Authority		202	
(36) Transfer from Finance Department		40,514	

REGULAR SESSION
29th Day

1593

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
(37) Transfer from Fire- fighters Personnel Standards and Educa- tion Commission		202	
(38) Transfer from Foreign Trade Commission		121	
(39) Transfer from Depart- ment of Forensic Sciences		7,642	
(40) Transfer from Forestry Commission		33,236	
(41) Transfer from Funeral Services		121	
(42) Transfer from Geological Survey		5,378	
(43) Transfer from Governor's Office		2,264	
(44) Transfer from Depart- ment of Public Health ...		146,731	
(45) Transfer from State Health Planning Agency		1,981	
(46) Transfer from Board of Heating and Air Condi- tioning Contractors		162	
(47) Transfer from Highway Department		321,481	
(48) Transfer from Alabama Historical Commission ...		3,315	
(49) Transfer from Depart- ment of Industrial Relations		152,917	
(50) Transfer from Insurance Department		4,690	
(51) Transfer from State Em- ployees' Insurance Board		81	
(52) Transfer from Judicial Inquiry Commission		40	
(53) Transfer from Depart- ment of Labor		728	
(54) Transfer from Legislative Reference Service		566	

JOURNAL OF THE SENATE, 1985
29th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
(55) Transfer from Liquefied Petroleum Gas Board		526	
(56) Transfer from Alabama Medicaid Agency		20,176	
(57) Transfer from Depart- ment of Mental Health and Mental Retardation		386,538	
(58) Transfer from Military Department		13,060	
(59) Transfer from Board of Nursing		1,092	
(60) Transfer from Board of Examiners of Nursing Home Administrators		40	
(61) Transfer from Oil and Gas Board		3,882	
(62) Transfer from Pardons and Paroles Board		19,691	
(63) Transfer from Peace Of- ficers' Annuity and Ben- efit Fund		283	
(64) Transfer from Peace Of- ficers' Standards and Training Commission		445	
(65) Transfer from Depart- ment of Pensions and Security		345,337	
(66) Transfer from Physical Fitness Commission		485	
(67) Transfer from Board of Physical Therapy		81	
(68) Transfer from Public Li- brary Service		5,135	
(69) Transfer from Depart- ment of Public Safety		90,044	
(70) Transfer from Public Service Commission		9,744	
(71) Transfer from Alabama Educational Television Commission		6,388	
(72) Transfer from Real Es- tate Commission		1,698	

**REGULAR SESSION
29th Day**

1595

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
(73) Transfer from Retirement Systems		9,744	
(74) Transfer from Department of Revenue		89,882	
(75) Transfer from Secretary of State		1,981	
(76) Transfer from Securities Commission		1,456	
(77) Transfer from Board of Social Work Examiners		81	
(78) Transfer from Soil and Water Conservation Committee		364	
(79) Transfer from Surface Mining Commission		4,973	
(80) Transfer from Bureau of Tourism and Travel		4,812	
(81) Transfer from State Treasurer		3,599	
(82) Transfer from Department of Veterans' Affairs		4,448	
(83) Transfer from Department of Youth Services		27,777	
Total State Personnel Department		2,400,000	2,400,000
83. PHYSICAL THERAPY, BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			57,916
The appropriation to the Board of Physical Therapy shall include a transfer to the State Personnel Department of \$81.			
SOURCE OF FUNDS:			
(1) Physical Therapy Fund ...		57,916	
As provided in Section 34-24-195, <u>Code of Alabama 1975.</u>			
Total Board of Physical Therapy		57,916	57,916

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
84.	POLYGRAPH EXAMINERS, BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			33,000
	SOURCE OF FUNDS:			
	(1) Board of Polygraph Ex- aminers Fund		33,000	
	As provided in Section 34- 25-5, <u>Code of Alabama</u> 1975, as amended.			
	Total Board of Polygraph Examiners		33,000	33,000
85.	PROSECUTION SERVICES, OFFICE OF:			
	(a) Prosecution, Training, Educa- tion and Management Program			472,436
	SOURCE OF FUNDS:			
	(1) Office of Prosecution Serv- ices Fund		472,436	
	Total Office of Prosecution Services		472,436	472,436
86.	PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:			
	(a) Professional and Occupational Licensing and Regulation Program			36,300
	SOURCE OF FUNDS:			
	(1) Board of Examiners of Psychology Fund		36,300	
	As provided in Section 34- 26-43, <u>Code of Alabama</u> 1975, as amended.			
	Total Alabama Board of Ex- aminers in Psychology		36,300	36,300
87.	PUBLIC SAFETY, DEPARTMENT OF:			
	(a) Traffic Control and Accident Prevention Program			21,585,220
	(b) Criminal Investigation Program			4,526,700

REGULAR SESSION
29th Day

1597

	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Funds	
(c) Driver's Licensing and Im- provement Program			9,099,100
(d) Public Safety Support Services Program			6,571,500
(e) Administrative Services Program			2,611,400
(f) Alabama Criminal Justice Training Center Program			1,456,080

The appropriation to the De-
partment of Public Safety shall
include a transfer to the State
Personnel Department of
\$90,044.

SOURCE OF FUNDS:

(1) State General Fund	45,850,000	
Total Department of Public Safety	45,850,000	45,850,000

88. PUBLIC SERVICE
COMMISSION:

(a) Regulatory Services Program	4,722,323
(b) Administrative Services Program	1,628,961

The appropriation to the Pub-
lic Service Commission shall
include a transfer to the State
Personnel Department of
\$9,744.

SOURCE OF FUNDS:

(1) Public Service Commis- sion Fund	5,572,630
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The above appropriation to
the Alabama Public Serv-
ice Commission shall be
payable only from inspec-
tion and supervision fees
paid by utilities and trans-
portation companies and
such parts or percentage of
fees and taxes paid by mo-
tor carrier or motor trans-
portation companies as are
now or may be set aside by
law to be used by the Com-
mission. Any surplus re-
maining in the Alabama

JOURNAL OF THE SENATE, 1985
29th Day

	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Funds	
Public Service Commission Fund at the end of the fiscal year in excess of \$800,000 shall be transferred to the State General Fund.			
(2) Gas Pipeline Safety Fund		435,083	
(3) Federal and Miscellaneous Funds		343,571	
Total Public Service Commission		6,351,284	6,351,284
89. REAL ESTATE COMMISSION, ALABAMA:			
(a) Professional and Occupational Licensing and Regulation Program			915,000
The appropriation to the Alabama Real Estate Commission shall include a transfer to the State Personnel Department of \$1,698.			
SOURCE OF FUNDS:			
(1) Alabama Real Estate Commission Fund		915,000	
As provided in Section 34-27-4, Code of Alabama 1975, as amended and the total expenditures shall in no manner exceed the amounts hereby appropriated.			
Total Alabama Real Estate Commission		915,000	915,000
90. REVENUE DEPARTMENT:			
(a) State Revenue Administration Program			44,692,012
The appropriation to the Revenue Department shall include a transfer to the State Personnel Department of \$89,882.			
SOURCE OF FUNDS:			
(1) State General Fund - Transfer		250,000	

REGULAR SESSION
29th Day

1599

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
As provided in Section 40-7-70, <u>Code of Alabama 1975</u> , to maintain a program for the equalization of ad valorem tax assessments.			
(2) State General Fund - Transfer - Boards of Equalization	137,164		
(3) Transfer from the gross proceeds of Cigarette Tax Collections		1,295,405	
As provided in Section 40-25-2 and Section 40-25-23, <u>Code of Alabama 1975</u> , as amended.			
(4) Transfer from the gross proceeds of Financial Institution Excise Tax Collections		219,104	
(5) Transfer from the gross proceeds of the Forest Severance Tax Collections		130,694	
(6) Transfer from the gross proceeds of Gasoline Tax Collections		3,836,244	
(7) Transfer from the Income Tax Collections		13,019,399	
(8) Transfer from the gross proceeds of Motor Fuel Tax Collections		799,538	
(9) Transfer from the gross proceeds of Motor Vehicle License Collections ...		1,733,613	
(10) Transfer from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax		530,463	
(11) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax		1,306,937	
(12) Transfer from the gross proceeds of Sales Tax Collections		11,485,670	

JOURNAL OF THE SENATE, 1985
29th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
(13) Transfer from the gross proceeds of the Tobacco Tax Collections		34,595	
(14) Transfer from the gross proceeds of Use Tax Collections		1,256,966	
(15) Transfer from the gross proceeds of the Utility Tax Collections		2,790,695	
<u>As provided in Section 40- 21-1, Code of Alabama 1975.</u>			
(16) Local Funds		3,500,442	
(17) Transfer from the gross proceeds of Motor Vehi- cle License Collections for the purchase only of Mo- tor Vehicle License Tags		2,365,083	

The amounts herein-
above appropriated for
the cost of maintenance
and operations of the
Department of Revenue
are in lieu of any other
statutory provisions for
the payment of the cost
of operating said Depart-
ment or collections of the
taxes as authorized by
law.

Provided, however, in ad-
dition to the amount her-
einabove appropriated,
there is hereby appropri-
ated to the Department
of Revenue all sums al-
lowed the Department of
Revenue by local Acts of
the Legislature as a charge
for the collection of taxes
or licenses.

Total Revenue Department	387,164	44,304,848	44,692,012
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**REGULAR SESSION
29th Day**

1601

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
91. SECRETARY OF STATE:				
(a)	Administrative Support Services Program			816,500
	The appropriation to the Secretary of State shall include a transfer to the State Personnel Department of \$1,981.			
	SOURCE OF FUNDS:			
	(1) State General Fund	816,500		
	Total Secretary of State	816,500		816,500
92. SECURITIES COMMISSION:				
(a)	Regulatory Services Program			918,833
	The appropriation to the Securities Commission shall include a transfer to the State Personnel Department of \$1,456.			
	SOURCE OF FUNDS:			
	(1) State General Fund	509,368		
	(2) Industrial Development Bond Notification Fund ..		126,465	
	(3) Sales of Checks License Fund		8,000	
	(4) Exemption Fund		275,000	
	Total Securities Commission	509,368	409,465	918,833
93. SENIOR CITIZENS HALL OF FAME, ALABAMA:				
(a)	Historical Resources Management Program			25,000
	To be expended in accordance with Section 41-9-740 through 745, Code of Alabama 1975, as amended.			
	SOURCE OF FUNDS:			
	(1) State General Fund	25,000		
	Total Alabama Senior Citizens Hall of Fame	25,000		25,000
94. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:				
(a)	Professional and Occupational Licensing and Regulation Program			53,784

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
The appropriation to the Alabama State Board of Social Work Examiners shall include a transfer to the State Personnel Department of \$81.				
SOURCE OF FUNDS:				
(1) Alabama State Board of Social Work Examiners Fund			53,784	
As provided in Section 34-30-6, <u>Code of Alabama 1975</u> (1983 Cum. Supp.).				
Total Alabama State Board of Social Work Examiners			53,784	53,784
95. SOIL AND WATER CONSERVATION COMMITTEE, STATE:				
(a) Water Resource Development Program				1,292,200
(b) Professional and Occupational Licensing and Regulation Program				2,000
The appropriation to the State Soil and Water Conservation Committee shall include a transfer to the State Personnel Department of \$364.				
SOURCE OF FUNDS:				
(1) State General Fund		1,278,200		
(2) Soil Classifiers Fund			2,000	
As provided by Section 34-32-19, <u>Code of Alabama 1975</u> , as amended.				
(3) Federal, Local and Miscellaneous Funds			14,000	
Total State Soil and Water Conservation Committee		1,278,200	16,000	1,294,200
96. SOUTHERN GROWTH POLICIES BOARD:				
(a) Special Services Program				27,830
SOURCE OF FUNDS:				
(1) State General Fund		27,830		

REGULAR SESSION
29th Day

1603

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Southern Growth Poli- cies Board		27,830		27,830
97. SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:				
(a) Tourism and Travel Promo- tion Program				350,000
SOURCE OF FUNDS:				
(1) State General Fund - Cap- ital Outlay		350,000		
Total Alabama Space Science Exhibit Commission		350,000		350,000
98. SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:				
(a) Professional and Occupational Licensing and Regulation Program				21,033
SOURCE OF FUNDS:				
(1) Alabama Board of Exam- iners for Speech Pathology and Audiology Fund			21,033	
As Provided in Section 34- 28A-44, <u>Code of Alabama</u> <u>1975</u> .				
Total Alabama Board of Ex- aminers for Speech Pathology and Audiology			21,033	21,033
99. SPORTS HALL OF FAME, ALABAMA:				
(a) Historical Resources Manage- ment Program				70,000
SOURCE OF FUNDS:				
(1) State General Fund		70,000		
Total Alabama Sports Hall of Fame		70,000		70,000
100. SURFACE MINING COMMISSION, ALABAMA:				
(a) Industrial Safety and Accident Prevention Program				4,782,837
The appropriation to the Ala- bama Surface Mining Com- mission shall include a transfer				

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
to the State Personnel Depart- ment of \$4,973.				
SOURCE OF FUNDS:				
(1) State General Fund	500,000			
(2) Surface Mining Commis- sion Fund			4,282,837	
As provided by Section 9- 16-103, Code of Alabama 1975 (1983 Cum. Supp.). All fees and charges, grants, gifts, fines, bond forfei- tures or other monies re- ceived under the above act, in addition to the appro- priation herein made, are appropriated to the Sur- face Mining Commission.				
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Total Alabama Surface Min- ing Commission	500,000	4,282,837	4,782,837	
<hr/>				
101. TANNEHILL FURNACE AND FOUNDRY COMMISSION:				
(a) Historical Resources Manage- ment Program				668,000
(b) Walter B. Jones Center for In- dustrial Archaeology				4,800
SOURCE OF FUNDS:				
(1) State General Fund	232,800			
(2) State General Fund - Cap- ital Outlay for furnace repair	50,000			
(3) Federal, Local and Miscel- laneous Funds			390,000	
<hr/>				
Total Tannehill Furnace and Foundry Commission	282,800	390,000	672,800	
<hr/>				
102. TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:				
(a) Water Resource Development Program				180,524
SOURCE OF FUNDS:				
(1) Federal, Local and Miscel- laneous Funds			180,524	

REGULAR SESSION
29th Day

1605

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
Total Tennessee-Tombigbee Waterway Development Authority			180,524	180,524
103. TENNESSEE VALLEY AUTHORITY EXHIBIT COMMISSION OF ALABAMA:				
(a) Promotional Development Program				125,000
To be expended in accordance with Act Number 84-292.				
SOURCE OF FUNDS:				
(1) State General Fund		75,000		
(2) Federal, Local and Miscel- laneous Funds			50,000	
Total Tennessee Valley Au- thority Exhibit Commission of Alabama		75,000	50,000	125,000
In addition to the above appropriation to the Ten- nessee Valley Authority Exhibit Commission, there is hereby appropriated \$250,000 to be conditioned on the Tennessee Valley Authority executing a let- ter of assurance to issue a permanenteasementofsuf- ficient property to house a museum and adequate parking to the Tennessee Valley Authority Exhibit Commission.				
104. TOURISM AND TRAVEL, BUREAU OF:				
(a) Tourism and Travel Promo- tion Program				2,958,048
(b) Special Program for the Pro- motion of Professional Sports Activities				200,000
The appropriation to the Bu- reau of Tourism and Travel shall include a transfer to the State Personnel Department of \$4,812.				

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	867,300			
(2) Lodgings Tax (\$.01)			2,290,748	
Receipts collected under the Provisions of Section 40-26-1 et seq., Code of Alabama 1975, as amended.				
<hr/>				
Total Bureau of Tourism and Travel	867,300	2,290,748		3,158,048
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105. TREASURER, STATE:				
(a) Fiscal Management Program				1,516,600
The appropriation to the State Treasurer shall include a trans- fer to the State Personnel De- partment of \$3,559.				
SOURCE OF FUNDS:				
(1) State General Fund	1,516,600			
Total State Treasurer	1,516,600			1,516,600
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106. UNIFORM STATE LAWS, COMMISSION ON:				
(a) Special Services Program, Estimated				5,000
SOURCE OF FUNDS:				
(1) State General Fund	5,000			
As provided in Section 41- 9-374, Code of Alabama 1975.				
<hr/>				
Total Commission on Uniform State Laws, Estimated	5,000			5,000
<hr/>				
107. VETERANS' AFFAIRS, DEPARTMENT OF:				
(a) Administration of Veterans' Af- fairs Program				2,856,700
(b) Alabama Vietnam Veterans' Leadership Program				25,000
The expenditures of said ap- propriation to the Alabama Vietnam Veterans' Leadership Program shall be subject to the				

REGULAR SESSION
29th Day

1607

Fund Sources Included
In Appropriation Total

General Fund	Trust Funds	Appropriation <u>Total</u>
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rules and regulations promulgated by the State Department of Veterans' Affairs.

The appropriation to the Department of Veterans' Affairs shall include a transfer to the State Personnel Department of \$4,448.

SOURCE OF FUNDS:

(1) State General Fund	2,881,700	
Total Department of Veterans' Affairs	2,881,700	2,881,700

In addition to the above appropriation to the Department of Veterans' Affairs, there is hereby conditionally appropriated \$2,000,000 for capital outlay for construction of a State Veterans' Home to be conditional upon the receipt of 65% matching Federal Funds from the Veterans' Administration for such purpose. These funds are also conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.

108. VETERINARY MEDICAL
EXAMINERS, ALABAMA
STATE BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program	60,000
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SOURCE OF FUNDS:

(1) State Board of Veterinary Medical Examiners Fund	60,000
As provided in Section 34- 29-23 and Section 34-29- 41, <u>Code of Alabama 1975</u> , as amended.	

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Alabama State Board of Veterinary Medical Examiners			60,000	60,000
109. WOMEN'S COMMISSION, ALABAMA:				
(a) Employment and Social Op- portunities Program				12,000
SOURCE OF FUNDS:				
(1) State General Fund		12,000		
Total Alabama Women's Commission		12,000		12,000
110. WOMEN'S HALL OF FAME, ALABAMA:				
(a) Historical Resources Manage- ment Program				6,000
SOURCE OF FUNDS:				
(1) State General Fund		6,000		
Total Alabama Women's Hall of Fame		6,000		6,000
D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:				
1. ADVERTISING LANDS FOR TAX SALE:				
(a) State Revenue Administration Program, Estimated				60,000
SOURCE OF FUNDS:				
(1) State General Fund		60,000		
Total Advertising Lands for Tax Sale		60,000		60,000
2. ARREST OF ABSCONDING FELONS:				
(a) Criminal Investigation Pro- gram, Estimated				65,000
SOURCE OF FUNDS:				
(1) State General Fund		65,000		
Total Arrest of Absconding Felons		65,000		65,000

REGULAR SESSION
29th Day

1609

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
3.	ATTORNEYS' FEES FOR REAPPORTIONMENT CASES:			
	(a) Legal Advice and Legal Service Program, Estimated			100,000
	SOURCE OF FUNDS:			
	(1) State General Fund	100,000		
	Total Attorneys' Fees for Re- apportionment Cases	100,000		100,000
4.	AUTOMATIC APPEAL EXPENSE:			
	(a) Legal Advice and Legal Service Program, Estimated			100
	SOURCE OF FUNDS:			
	(1) State General Fund	100		
	As provided in Section 12- 22-150 and Section 12-22- 241, <u>Code of Alabama</u> 1975.			
	Total Automatic Appeal Expense	100		100
5.	CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:			
	(a) State Revenue Administration Program, Estimated			200
	SOURCE OF FUNDS:			
	(1) State General Fund	200		
	Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals	200		200
6.	CONSUMER UTILITY RATE HEARING:			
	(a) Executive Direction Program			250,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	250,000		
	As provided in Section 37- 1-18 <u>Code of Alabama</u> 1975 (1983 Cum. Supp.).			

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Consumer Utility Rate Hearing		250,000		250,000
7.	COURT-ASSESSED COST NOT OTHERWISE PROVIDED FOR:			
(a)	Legal Advice and Legal Serv- ices Program, Estimated			800,000
	It is the intent of the Legisla- ture that this appropriation be expended only for costs as- sessed by state and federal courts.			
	SOURCE OF FUNDS:			
	(1) State General Fund	800,000		
	Total Court-Assessed Cost Not Otherwise Provided For	800,000		800,000
8.	COURT COSTS-ACT NO. 558, 1957:			
(a)	Court Operations Program, Estimated			500
	SOURCE OF FUNDS:			
	(1) State General Fund	500		
	Pursuant to Act No. 558, 1957, page 777.			
	Total Court Costs-Act No. 558, 1957	500		500
9.	DISTRIBUTION OF PUBLIC DOCUMENTS:			
(a)	Administrative Support Serv- ice Program, Estimated			55,000
	SOURCE OF FUNDS:			
	(1) State General Fund	55,000		
	Total Distribution of Public Documents	55,000		55,000
10.	STATE DOCKS TRANSFER			3,500,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	3,500,000		
	Total State Docks Transfer	3,500,000		3,500,000

The above appropriation to
the State Docks shall be

**REGULAR SESSION
29th Day**

1611

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
conditional upon the avail- ability of funds and shall remain in the State Gen- eral Fund until a demon- strated need is determined and recommended by the Finance Director and ap- proved by the Governor.				
11. ELECTION EXPENSES:				
(a)	Special Services Program, Estimated			1,000,000
SOURCE OF FUNDS:				
(1)	State General Fund	1,000,000		
	Total Election Expenses	1,000,000		1,000,000
12. EMERGENCY FUND, DEPARTMENTAL:				
(a)	Special Services Program			1,750,000
SOURCE OF FUNDS:				
(1)	State General Fund	1,750,000		
(This is the appropriation contemplated in Section 41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section.)				
	Total Departmental Emer- gency Fund	1,750,000		1,750,000
13. FEEDING OF PRISONERS:				
(a)	Institutional Services - Cor- rections Program, Estimated			3,750,000
SOURCE OF FUNDS:				
(1)	State General Fund	3,750,000		
For expenses of feeding pris- oners in county jails.				
	Total Feeding of Prisoners	3,750,000		3,750,000
14. DEPARTMENT OF FINANCE- CAPITAL OUTLAY:				
(a)	Special Services Program, Estimated			2,800,000
For capital outlay, renovation, and Capitol moving.				

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
(b)	Administrative Support Services Program			150,000
	For repair of the Governor's Mansion, the Haardt House, the Little White House of the Confederacy, and for greenhouse construction.			
	SOURCE OF FUNDS:			
	(1) State General Fund - Capital Outlay, Estimated	2,800,000		
	(2) State General Fund - Capital Outlay	150,000		
	Total Department of Finance - Capital Outlay	2,950,000		2,950,000
15.	DEPARTMENT OF FINANCE - EMPLOYEES' SUGGESTION AWARDS PROGRAM:			
(a)	Fiscal Management Program			10,000
	In accordance with Section 36-1-7, <u>Code of Alabama 1975</u> , as amended.			
	SOURCE OF FUNDS:			
	(1) State General Fund	10,000		
	Total Department of Finance - Employees' Suggestion Awards Program	10,000		10,000
16.	DEPARTMENT OF FINANCE - FEMA:			
(a)	Readiness and Recovery Program			1,000,000
	Payments of the State's share of Administration costs and matching grants furnished by the Federal Emergency Management Agency.			
	SOURCE OF FUNDS:			
	(1) State General Fund	1,000,000		
	Total Department of Finance - FEMA	1,000,000		1,000,000

REGULAR SESSION
29th Day

1613

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
17.	DEPARTMENT OF FINANCE - TELEPHONE REVOLVING FUND		2,400,000	
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	2,400,000		
	Total Department of Finance - Telephone Revolving Fund	2,400,000		2,400,000
18.	FOREST FIRE FUND, EMERGENCY:			
	(a) Forest Resource Protection Program			180,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	180,000		
	As provided by Section 9- 3-10.1, <u>Code of Alabama</u> <u>1975.</u>			
	Total Emergency Forest Fire Fund	180,000		180,000
19.	GOVERNORS' CONFERENCE, NATIONAL:			
	(a) Executive Direction Program			80,395
	SOURCE OF FUNDS:			
	(1) State General Fund	80,395		
	Total National Governors' Conference	80,395		80,395
20.	GOVERNOR'S COUNCILLOR:			
	(a) Executive Direction Program			23,000
	SOURCE OF FUNDS:			
	(1) State General Fund	23,000		
	As provided in Section 36- 13-13, <u>Code of Alabama</u> <u>1975</u> (1983 Cum. Supp.).			
	Total Governor's Councillor ...	23,000		23,000
21.	GOVERNOR'S PROCLAMATION EXPENSES:			
	(a) Executive Direction Program, Estimated			150,000

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
(1) State General Fund	150,000			
<hr/>				
Total Governor's Proclama- tion Expenses	150,000			150,000
<hr/>				
22. GOVERNOR'S WIDOWS RETIREMENT:				
(a) Executive Direction Program				14,400
SOURCE OF FUNDS:				
(1) State General Fund	14,400			
<hr/>				
Total Governor's Widows Retirement	14,400			14,400
<hr/>				
23. INTERPRETER'S ACCOUNT:				
(a) Court Operations Program				2,500
SOURCE OF FUNDS:				
(1) State General Fund	2,500			
As provided in Sections 12- 21-131 through 134, <u>Code</u> <u>of Alabama 1975.</u>				
<hr/>				
Total Interpreter's Account ...	2,500			2,500
<hr/>				
24. LAW ENFORCEMENT FUND:				
(a) Criminal Investigation Program				1,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	1,000			
<hr/>				
Total Law Enforcement Fund	1,000			1,000
<hr/>				
25. LAW ENFORCEMENT LEGAL DEFENSE:				
(a) Legal Advice and Legal Serv- ices Program				3,000
SOURCE OF FUNDS:				
(1) State General Fund	3,000			
To carry out provisions of Section 36-21-1, <u>Code of</u> <u>Alabama 1975.</u>				
<hr/>				
Total Law Enforcement Legal Defense	3,000			3,000
<hr/>				

**REGULAR SESSION
29th Day**

1615

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
26.	LIABILITY INSURANCE			
	FUND, STATE			1,000,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	1,000,000		
	Total State Liability Insurance Fund	1,000,000		1,000,000
27.	MAILING TAX NOTICES:			
	(a) State Revenue Administration Program, Estimated			100
	SOURCE OF FUNDS:			
	(1) State General Fund	100		
	Total Mailing Tax Notices	100		100
28.	MENTAL HEALTH TRUST			
	FUND, ALABAMA SPECIAL:			42,825,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	42,825,000		
	Total Alabama Special Mental Health Trust Fund	42,825,000		42,825,000
29.	POLICEMAN'S SURVIVOR			
	TUITION ACT:			
	(a) Support of Other Educational Activities Program, Estimated			5,000
	SOURCE OF FUNDS:			
	(1) State General Fund	5,000		
	Total Policeman's Survivor Tuition Act	5,000		5,000
30.	PRINTING OF CODE			
	SUPPLEMENT - LEGISLATIVE REFERENCE SERVICE:			
	(a) Legislative Operation and Support Program, Estimated			500,000
	SOURCE OF FUNDS:			
	(1) State General Fund	500,000		
	Total Printing of Code Supple- ment - Legislative Reference Service	500,000		500,000

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
31.	PRINTING CODES AND SUPPLEMENTS - SECRETARY OF STATE:			
	(a) Administrative Support Serv- ices Program, Estimated			150,000
	SOURCE OF FUNDS:			
	(1) State General Fund	150,000		
	Total Printing Codes and Sup- plements - Secretary of State	150,000		150,000
32.	PRINTING OF LEGISLATIVE ACTS AND JOURNALS:			
	(a) Administrative Support Serv- ices Program, Estimated			400,000
	SOURCE OF FUNDS:			
	(1) State General Fund	400,000		
	Total Printing of Legislative Acts and Journals	400,000		400,000
33.	PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:			
	(a) State Revenue Administration Program, Estimated			25,000
	SOURCE OF FUNDS:			
	(1) State General Fund	25,000		
	Total Printing of State and County Privilege Licenses	25,000		25,000
34.	PUBLIC DEFENDER:			
	(a) Court Operations Program, Estimated			60,185
	SOURCE OF FUNDS:			
	(1) State General Fund	60,185		
	For salary of Public De- fender for the 21st Judicial Circuit, as provided by Section 15-12-43, <u>Code of Alabama 1975</u> .			
	Total Public Defender	60,185		60,185
35.	RECREATION CAPITAL DEVELOPMENT FUND:			
	(a) Special Services Program			785,000

REGULAR SESSION
29th Day

1617

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
(1) State General Fund	785,000			
Total Recreation Capital De- velopment Fund	785,000			785,000
36. REGISTRATION OF VOTERS:				
(a) Special Services Program, Estimated				1,500,000
In accordance with Sections 17- 4-126 and 17-4-153, <u>Code of Alabama 1975</u> , as amended.				
SOURCE OF FUNDS:				
(1) State General Fund	1,500,000			
Total Registration of Voters ...	1,500,000			1,500,000
37. REMOVAL OF PRISONERS:				
(a) Administrative Services and Logistical Support Program, Estimated				300,000
SOURCE OF FUNDS:				
(1) State General Fund	300,000			
Total Removal of Prisoners ...	300,000			300,000
38. SOCIAL SECURITY - COUNTY JUDICIAL:				
(a) Fringe Benefit Program, Estimated				300,000
SOURCE OF FUNDS:				
(1) State General Fund	300,000			
Total Social Security - County Judicial	300,000			300,000
39. STATE GENERAL FUND, ESTIMATED				
				66,655,765
SOURCE OF FUNDS:				
(1) Heritage Trust Income Fund Transfer, Esti- mated. All income other than income realized on sale of Trust Fund assets and not otherwise appro- priated herein			66,655,765	

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
Total State General Fund, Estimated			66,655,765	66,655,765
40. STATE TREASURER- PREVIOUS YEAR'S UNPAID WARRANTS:				
(a) Special Services Program, Estimated				200,000
SOURCE OF FUNDS:				
(1) State General Fund		200,000		
Total State Treasurer - Pre- vious Year's Unpaid Warrants		200,000		200,000
E. FINANCIAL ASSISTANCE TO NON-STATE AGENCIES:				
1. ANNISTON SUBREGIONAL LIBRARY FOR THE BLIND AND HANDICAPPED:				
(a) Public Library Services Program				4,500
SOURCE OF FUNDS:				
(1) State General Fund		4,500		
Total Anniston Subregional Library for the Blind and Handicapped		4,500		4,500
2. APPALACHIAN REGIONAL COMMISSION:				
(a) Planning Program				189,970
SOURCE OF FUNDS:				
(1) State General Fund		189,970		
Total Appalachian Regional Commission		189,970		189,970
3. ARMED FORCES DAY IN ALABAMA:				
(a) Historical Resources Manage- ment Program				836
SOURCE OF FUNDS:				
(1) State General Fund		836		
Total Armed Forces Day in Alabama		836		836

**REGULAR SESSION
29th Day**

1619

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
4.	ARMY AVIATION MUSEUM, FORT RUCKER:			
	(a) Historical Resources Manage- ment Program			75,000
	SOURCE OF FUNDS:			
	(1) State General Fund	75,000		
	Total Army Aviation Museum, Fort Rucker	75,000		75,000
5.	ARTS HALL OF FAME, ALABAMA:			
	(a) Fine Arts Program			4,500
	SOURCE OF FUNDS:			
	(1) State General Fund	4,500		
	Total Alabama Arts Hall of Fame	4,500		4,500
6.	AZALEA TRAIL FESTIVAL, MOBILE:			
	(a) Tourism and Travel Promo- tion Program			1,556
	SOURCE OF FUNDS:			
	(1) State General Fund	1,556		
	Total Mobile Azalea Trail Festival	1,556		1,556
7.	BALDWIN HERITAGE MUSEUM:			
	(a) Historical Resources Manage- ment Program			15,000
	SOURCE OF FUNDS:			
	(1) State General Fund	15,000		
	Total Baldwin Heritage Museum	15,000		15,000
8.	BAYOU LA BATRE SEAFOOD FESTIVAL:			
	(a) Tourism and Travel Promo- tion Program			1,000
	SOURCE OF FUNDS:			
	(1) State General Fund	1,000		

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Bayou La Batre Seafood Festival		1,000		1,000
9.	BEACON HOUSE - JASPER:			
(a)	Social Services Program			50,000
SOURCE OF FUNDS:				
(1)	State General Fund	50,000		
Total Beacon House - Jasper		50,000		50,000
10.	BIG NANCE CREEK WATER MANAGEMENT DISTRICT:			
(a)	Water Resource Development Program			1,400
SOURCE OF FUNDS:				
(1)	State General Fund	1,400		
Total Big Nance Creek Water Management District		1,400		1,400
11.	BIRMINGHAM CHAMBER MUSIC SOCIETY:			
(a)	Fine Arts Program			1,556
SOURCE OF FUNDS:				
(1)	State General Fund	1,556		
Total Birmingham Chamber Music Society		1,556		1,556
12.	BIRMINGHAM FESTIVAL OF ARTS:			
(a)	Fine Arts Program			15,230
SOURCE OF FUNDS:				
(1)	State General Fund	15,230		
Total Birmingham Festival of Arts		15,230		15,230
13.	BIRMINGHAM INTERNATIONAL EDUCATIONAL FILM FESTIVAL:			
(a)	Fine Arts Program			7,500
SOURCE OF FUNDS:				
(1)	State General Fund	7,500		

**REGULAR SESSION
29th Day**

1621

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Birmingham International Educational Film Festival		7,500		7,500
14. BLOUNT COUNTY - ONEONTA AGRI-BUSINESS ASSOCIATION - FARMERS' MARKET:				
(a) Agricultural Development Services Program				25,000
SOURCE OF FUNDS:				
(1) State General Fund		25,000		
Total Blount County - Oneonta Agri-Business Association - Farmers' Market		25,000		25,000
15. BLUE AND GRAY ASSOCIATION:				
(a) Tourism and Travel Promotion Program				10,000
SOURCE OF FUNDS:				
(1) State General Fund		10,000		
Total Blue and Gray Association		10,000		10,000
16. BREWTON BLUEBERRY FESTIVAL:				
(a) Tourism and Travel Promotion Program				10,000
SOURCE OF FUNDS:				
(1) State General Fund		10,000		
Total Brewton Blueberry Festival		10,000		10,000
17. BRIERFIELD IRONWORKS PARK:				
(a) Outdoor Recreation Sites and Services Program				50,000
SOURCE OF FUNDS:				
(1) State General Fund		50,000		
Total Brierfield Ironworks Park		50,000		50,000

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
18.	CHILTON COUNTY HISTORICAL SOCIETY:			
	(a) Historical Resources Manage- ment Program			5,000
	SOURCE OF FUNDS:			
	(1) State General Fund	5,000		
	Total Chilton County Histori- cal Society	5,000		5,000
19.	CHILTON COUNTY PEACH FESTIVAL:			
	(a) Tourism and Travel Promo- tion Program			11,250
	SOURCE OF FUNDS:			
	(1) State General Fund	11,250		
	Total Chilton County Peach Festival	11,250		11,250
20.	CHOCOLOCOCO CREEK WATERSHED ASSOCIATION:			
	(a) Water Resource Development Program			2,183
	SOURCE OF FUNDS:			
	(1) State General Fund	2,183		
	Total Choccolocco Creek Wa- tershed Association	2,183		2,183
21.	CITRONELLE OIL BOWL:			
	(a) Tourism and Travel Promo- tion Program			500
	SOURCE OF FUNDS:			
	(1) State General Fund	500		
	Total Citronelle Oil Bowl	500		500
22.	CIVIL AIR PATROL:			
	(a) Readiness and Recovery Program			80,000
	The appropriation to the Civil Air Patrol shall include a transfer to the State Personnel Department of \$81.			
	SOURCE OF FUNDS:			
	(1) State General Fund	80,000		

**REGULAR SESSION
29th Day**

1623

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Civil Air Patrol		80,000		80,000
23. CLEVELAND AVENUE YMCA:				
(a) Special Services Program				5,000
SOURCE OF FUNDS:				
(1) State General Fund		5,000		
Total Cleveland Avenue YMCA		5,000		5,000
24. CLAYBANK JAMBOREE:				
(a) Special Services Program				15,000
SOURCE OF FUNDS:				
(1) State General Fund		15,000		
Total Claybank Jamboree		15,000		15,000
25. CLIO CHITTLIN JAMBOREE:				
(a) Tourism and Travel Promo- tion Program				5,000
SOURCE OF FUNDS:				
(1) State General Fund		5,000		
Total Clio Chittlin Jamboree		5,000		5,000
26. COOSA-ALABAMA RIVER IMPROVEMENT ASSOCIATION:				
(a) Water Resource Development Program				30,000
SOURCE OF FUNDS:				
(1) State General Fund		30,000		
Total Coosa - Alabama River Improvement Association		30,000		30,000
27. COOSA RIVER ACTION COUNCIL - GADSDEN:				
(a) Water Resource Development Program				6,221
SOURCE OF FUNDS:				
(1) State General Fund		6,221		
Total Coosa River Action Council - Gadsden		6,221		6,221

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
28.	CULTURE IN BLACK AND WHITE:			
(a)	Historical Resources Manage- ment Program			1,500
	SOURCE OF FUNDS:			
(1)	State General Fund	1,500		
	Total Culture in Black and White	1,500		1,500
29.	DEEP SEA FISHING RODEO, ALABAMA:			
(a)	Tourism and Travel Promo- tion Program			935
	SOURCE OF FUNDS:			
(1)	State General Fund	935		
	Total Alabama Deep Sea Fish- ing Rodeo	935		935
30.	ALABAMA DEVELOPMENT AUTHORITY - SELMA PROJECT:			
(a)	Community Services Program			200,000
	It is the intent of the Legisla- ture that this is a one-time ap- propriation to the Alabama Development Authority - Selma Project for fiscal year 1985-86.			
	SOURCE OF FUNDS:			
(1)	State General Fund	200,000		
	Total Alabama Development Authority - Selma Project	200,000		200,000
31.	DORSE RECREATIONAL AND EDUCATIONAL CENTER, MARY E.:			
(a)	Special Services Program			3,638
	SOURCE OF FUNDS:			
(1)	State General Fund	3,638		
	Total Mary E. Dorse Recrea- tional and Educational Center	3,638		3,638

**REGULAR SESSION
29th Day**

1625

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
32.	DOTHAN LANDMARKS FOUNDATION, INC.:			
	(a) Historical Resources Manage- ment Program			30,625
	SOURCE OF FUNDS:			
	(1) State General Fund	30,625		
	Total Dothan Landmarks Foundation, Inc.	30,625		30,625
33.	DYNNE CREEK WATERSHED CONSERVANCY DISTRICT:			
	(a) Water Resource Development Program			1,400
	SOURCE OF FUNDS:			
	(1) State General Fund	1,400		
	Total Dynne Creek Watershed Conservancy District	1,400		1,400
34.	ELYTON RECOVERY CENTER:			
	(a) Community Services Program			75,000
	SOURCE OF FUNDS:			
	(1) State General Fund	75,000		
	Total Elyton Recovery Center	75,000		75,000
35.	ENERGY BOARD, SOUTHERN STATES:			
	(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program			20,536
	SOURCE OF FUNDS:			
	(1) State General Fund	20,536		
	Total Southern States Energy Board	20,536		20,536
36.	EXPLORE CENTER, INC.:			
	(a) Educational Museum Services Program			21,000
	SOURCE OF FUNDS:			
	(1) State General Fund	21,000		

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Explore Center, Inc.		21,000		21,000
37. FINANCE, DEPARTMENT OF - RETIRED SENIOR VOLUNTEER PROGRAM:				
(a)	Special Services Program			315,650
The above appropriation to the Retired Senior Volunteer Program shall be distributed in the following manner: \$34,664 to the Foster Grandparent and Senior Companions Programs and \$280,986 to the Retired Senior Volunteer Programs.				
SOURCE OF FUNDS:				
(1)	State General Fund	315,650		
Total Retired Senior Volunteer Program - Department of Finance				
		315,650		315,650
38. FOREST FESTIVAL, ALABAMA:				
(a)	Executive Administration Program			4,610
SOURCE OF FUNDS:				
(1)	State General Fund	4,610		
Total Alabama Forest Festival				
		4,610		4,610
39. GENEVA COUNTY TOMATO FESTIVAL:				
(a)	Tourism and Travel Promotion Program			5,000
SOURCE OF FUNDS:				
(1)	State General Fund	5,000		
Total Geneva County Tomato Festival				
		5,000		5,000
40. GEORGE LINDSEY CELEBRITY BENEFIT, INC.:				
(a)	Tourism and Travel Promotion Program			7,500
SOURCE OF FUNDS:				
(1)	State General Fund	7,500		

**REGULAR SESSION
29th Day**

1627

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
Total George Lindsey Celeb- rity Benefit, Inc.		7,500		7,500
41. GULF SHORES TOURIST ASSOCIATION:				
(a) Tourism and Travel Promo- tion Program				9,500
SOURCE OF FUNDS:				
(1) State General Fund		9,500		
Total Gulf Shores Tourist Association		9,500		9,500
42. GUNTERSVILLE BOAT RACES:				
(a) Tourism and Travel Promo- tion Program				11,068
SOURCE OF FUNDS:				
(1) State General Fund		11,068		
Total Guntersville Boat Races		11,068		11,068
43. HANK WILLIAMS MEMORIAL ASSOCIATION - GEORGIANA:				
(a) Historical Resources Manage- ment Program				2,000
SOURCE OF FUNDS:				
(1) State General Fund		2,000		
Total Hank Williams Memo- rial Association - Georgiana ...		2,000		2,000
44. HANK WILLIAMS, JIM OWEN SALUTES:				
(a) Historical Resources Manage- ment Program				2,000
SOURCE OF FUNDS:				
(1) State General Fund		2,000		
Total Jim Owen Salutes Hank Williams		2,000		2,000
45. HELEN KELLER PROPERTY BOARD:				
(a) Historical Resources Manage- ment Program				35,000
Of the above appropriation, not more than \$10,000 shall be al- located to the Helen Keller Festival.				

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
	(1) State General Fund	35,000		
	Total Helen Keller Property Board	35,000		35,000
46. HIGH TECHNOLOGY ECONOMIC DEVELOPMENT FOUNDATION, INC.:				
	(a) Industrial Development Program			25,000
SOURCE OF FUNDS:				
	(1) State General Fund	25,000		
	Total High Technology Eco- nomic Development Founda- tion, Inc.	25,000		25,000
47. INTERSTATE MINING COMMISSION:				
	(a) Planning Program			8,796
SOURCE OF FUNDS:				
	(1) State General Fund	8,796		
	Total Interstate Mining Commission	8,796		8,796
48. JESSE OWENS MEMORIAL PARK:				
	(a) Historical Resources Manage- ment Program			12,000
SOURCE OF FUNDS:				
	(1) State General Fund	12,000		
	Total Jesse Owens Memorial Park	12,000		12,000
49. JUNIOR MISS PAGEANT, INC., ALABAMA'S:				
	(a) Tourism and Travel Promo- tion Program			10,000
SOURCE OF FUNDS:				
	(1) State General Fund	10,000		
	Total Alabama's Junior Miss Pageant, Inc.	10,000		10,000

**REGULAR SESSION
29th Day**

1629

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
50.	JUNIOR MISS PAGEANT, INC., AMERICA'S:			
	(a) Tourism and Travel Promo- tion Program			50,000
	SOURCE OF FUNDS:			
	(1) State General Fund	50,000		
	Total America's Junior Miss Pageant, Inc.	50,000		50,000
51.	KETCHEPEDRAKEE CREEK WATERSHED CONSERVANCY DISTRICT:			
	(a) Water Resource Development Program			1,400
	SOURCE OF FUNDS:			
	(1) State General Fund	1,400		
	Total Ketchepedrakee Creek Watershed Conservancy District	1,400		1,400
52.	LAKE EUFAULA SUMMER SPECTACULAR:			
	(a) Tourism and Travel Promo- tion Program			5,602
	SOURCE OF FUNDS:			
	(1) State General Fund	5,602		
	Total Lake Eufaula Summer Spectacular	5,602		5,602
53.	LEE COUNTY HISTORICAL SOCIETY AND MUSEUM:			
	(a) Historical Resources Manage- ment Program			5,000
	SOURCE OF FUNDS:			
	(1) State General Fund	5,000		
	Total Lee County Historical Society and Museum	5,000		5,000
54.	MALLARD FOX CREEK PORT AND INDUSTRIAL PARK:			
	(a) Special Services Program			500,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Cap- ital Outlay	500,000		

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Mallard Fox Creek Port and Industrial Park		500,000		500,000
55. MINING MUSEUM, ALABAMA:				
(a) Historical Resources Manage- ment Program				25,000
SOURCE OF FUNDS:				
(1) State General Fund		25,000		
Total Alabama Mining Museum		25,000		25,000
56. MOBILE AREA MARDI GRAS ASSOCIATION:				
(a) Tourism and Travel Promo- tion Program				2,800
SOURCE OF FUNDS:				
(1) State General Fund		2,800		
Total Mobile Area Mardi Gras Association		2,800		2,800
57. MOBILE CARNIVAL ASSOCIATION:				
(a) Tourism and Travel Promo- tion Program				2,800
SOURCE OF FUNDS:				
(1) State General Fund		2,800		
Total Mobile Carnival Association		2,800		2,800
58. MOUNTAIN LAKES ASSOCIATION:				
(a) Tourism and Travel Promo- tion Program				25,000
SOURCE OF FUNDS:				
(1) State General Fund		25,000		
Total Mountain Lakes Association		25,000		25,000
59. NOCCALULA FALLS:				
(a) Special Services Program				10,000
SOURCE OF FUNDS:				
(1) State General Fund		10,000		

REGULAR SESSION
29th Day

1631

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Noccalula Falls		10,000		10,000
60. OCTOBERFEST, INC. IN CULLMAN COUNTY:				
(a) Tourism and Travel Promo- tion Program				5,000
SOURCE OF FUNDS:				
(1) State General Fund		5,000		
Total Octoberfest, Inc. in Cull- man County		5,000		5,000
61. PEA RIVER HISTORICAL AND GENEALOGICAL SOCIETY:				
(a) Historical Resources Manage- ment Program				10,000
SOURCE OF FUNDS:				
(1) State General Fund		10,000		
Total Pea River Historical and Genealogical Society		10,000		10,000
62. PEA RIVER WATERSHED CONSERVANCY DISTRICT:				
(a) Water Resource Development Program				11,400
SOURCE OF FUNDS:				
(1) State General Fund		11,400		
Total Pea River Watershed Conservancy District		11,400		11,400
63. PEANUT FESTIVAL ASSOCIATION, INC., NATIONAL:				
(a) Tourism and Travel Promo- tion Program				15,000
SOURCE OF FUNDS:				
(1) State General Fund		15,000		
Total National Peanut Festival Association, Inc.		15,000		15,000
64. PIKE COUNTY PIONEER MUSEUM ASSOCIATION:				
(a) Historical Resources Manage- ment Program				5,000

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
	(1) State General Fund	5,000		
	Total Pike County Pioneer Museum Association	5,000		5,000
65.	RIVERBOAT COMMISSION, INC., MONTGOMERY:			
	(a) Tourism and Travel Promo- tion Program			15,000
SOURCE OF FUNDS:				
	(1) State General Fund	15,000		
	Total Riverboat Commission Inc., Montgomery	15,000		15,000
66.	RODEO ASSOCIATION, ALABAMA HIGH SCHOOL:			
	(a) Special Services Program			10,000
SOURCE OF FUNDS:				
	(1) State General Fund	10,000		
	Total Alabama High School Rodeo Association	10,000		10,000
67.	SENIOR BOWL - MOBILE:			
	(a) Tourism and Travel Promo- tion Program			40,000
SOURCE OF FUNDS:				
	(1) State General Fund	40,000		
	Total Senior Bowl - Mobile	40,000		40,000
68.	SHELBY COUNTY HISTORICAL ASSOCIATION:			
	(a) Historical Resources Manage- ment Program			8,750
SOURCE OF FUNDS:				
	(1) State General Fund	8,750		
	Total Shelby County Histori- cal Association	8,750		8,750
69.	SICKLE CELL EDUCATION PROGRAM:			
	(a) Jefferson County Sickle Cell Foundation			274,000
	(b) Southeast Alabama Sickle Cell Association			175,000

REGULAR SESSION
29th Day

1633

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
(c)	Southwest Alabama Sickie Cell			189,500
(d)	Sickie Cell Foundation of Greater Montgomery			81,500
(e)	West Alabama Sickie Cell Foundation			7,500
(f)	Northeast Alabama Sickie Cell			5,000
SOURCE OF FUNDS:				
(1)	State General Fund	732,500		
	Total Sickie Cell Education Program	732,500		732,500
70. SIMPSON-MAY CEREBRAL PALSY CENTER:				
(a)	Financial Assistance Program			35,000
SOURCE OF FUNDS:				
(1)	State General Fund	35,000		
	Total Simpson-May Cerebral Palsy Center	35,000		35,000
71. SOUTHERN CENTER FOR INTERNATIONAL STUDIES:				
(a)	Special Services Program			18,750
SOURCE OF FUNDS:				
(1)	State General Fund	18,750		
	Total Southern Center for In- ternational Studies	18,750		18,750
72. SOUTHERN CHAMPIONSHIP CHARITY HORSESHOW:				
(a)	Tourism and Travel Promo- tion Program			3,110
SOURCE OF FUNDS:				
(1)	State General Fund	3,110		
	Total Southern Championship Charity Horseshow	3,110		3,110
73. SPIRIT OF AMERICA FESTIVAL, INC.:				
(a)	Tourism and Travel Promo- tion Program			2,801

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
(1) State General Fund		2,801		
Total Spirit of America Festi- val, Inc.		2,801		2,801
74. ALABAMA SPORTS FESTIVAL:				
(a) Tourism and Travel Promo- tion Program				31,000
SOURCE OF FUNDS:				
(1) State General Fund		31,000		
Total Alabama Sports Festival		31,000		31,000
75. ST. CLAIR COUNTY HISTORICAL SOCIETY:				
(a) Historical Resources Manage- ment Program				5,000
SOURCE OF FUNDS:				
(1) State General Fund		5,000		
Total St. Clair County Histor- ical Society		5,000		5,000
76. STEER SHOW ASSOCIATION, ALABAMA STATE:				
(a) Agricultural Development Services Program				15,000
SOURCE OF FUNDS:				
(1) State General Fund		15,000		
Total Alabama State Steer Show Association		15,000		15,000
77. STETSON HOEDOWN:				
(a) Special Services Program				5,000
SOURCE OF FUNDS:				
(1) State General Fund		5,000		
Total Stetson Hoedown		5,000		5,000
78. TALLACOOSA HIGHLAND LAKES ASSOCIATION:				
(a) Tourism and Travel Promo- tion Program				5,602
SOURCE OF FUNDS:				
(1) State General Fund		5,602		

**REGULAR SESSION
29th Day**

1635

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
Total Tallacoosa Highland Lakes Association		5,602		5,602
79.	TALLASSEEHATCHIE CREEK WATERSHED CONSERVANCY DISTRICT:			
(a)	Water Resource Development Program			1,237
SOURCE OF FUNDS:				
(1)	State General Fund	1,237		
Total Tallasseehatchie Creek Watershed Conservancy District		1,237		1,237
80.	TENNESSEE RIVER VALLEY ASSOCIATION:			
(a)	Water Resource Development Program			8,708
SOURCE OF FUNDS:				
(1)	State General Fund	8,708		
Total Tennessee River Valley Association		8,708		8,708
81.	TENNESSEE VALLEY PUBLICITY AND IMPROVEMENT ASSOCIATION:			
(a)	Tourism and Travel Promo- tion Program			24,881
SOURCE OF FUNDS:				
(1)	State General Fund	24,881		
Total Tennessee Valley Public- ity and Improvement Association		24,881		24,881
82.	TERRAPIN CREEK WATERSHED CONSERVANCY DISTRICT:			
(a)	Water Resource Development Program			1,400
SOURCE OF FUNDS:				
(1)	State General Fund	1,400		
Total Terrapin Creek Wa- tershed Conservancy District		1,400		1,400

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
83.	TRAVEL COUNCIL, ALABAMA:			
	(a) Tourism and Travel Promo- tion Program			40,000
	SOURCE OF FUNDS:			
	(1) State General Fund	40,000		
	Total Alabama Travel Council	40,000		40,000
84.	TRI-RIVERS WATERWAY DEVELOPMENT ASSOCIATION:			
	(a) Water Resource Development Program			16,794
	SOURCE OF FUNDS:			
	(1) State General Fund	16,794		
	Total Tri-Rivers Waterway Development Association	16,794		16,794
85.	VESTAVIA HILLS DOGWOOD FESTIVAL AND TRAIL:			
	(a) Tourism and Travel Promo- tion Program			1,500
	SOURCE OF FUNDS:			
	(1) State General Fund	1,500		
	Total Vestavia Hills Dogwood Festival and Trail	1,500		1,500
86.	VETERANS DAY COMMITTEE, NATIONAL:			
	(a) Historical Resources Manage- ment Program			4,358
	SOURCE OF FUNDS:			
	(1) State General Fund	4,358		
	Total National Veterans Day Committee	4,358		4,358
87.	VETERANS DAY IN ALABAMA:			
	(a) Historical Resources Manage- ment Program			1,244
	SOURCE OF FUNDS:			
	(1) State General Fund	1,244		

**REGULAR SESSION
29th Day**

1637

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Funds	
Total Veterans Day in Alabama		1,244		1,244
88. W. C. HANDY PROPERTY BOARD:				
(a) Historical Resources Manage- ment Program				25,000
Of the above appropriation \$10,000 shall be allocated to the W. C. Handy Festival.				
SOURCE OF FUNDS:				
(1) State General Fund		25,000		
Total W. C. Handy Property Board		25,000		25,000
89. WILKERSON CREEK WATERSHED DISTRICT:				
(a) Historical Resources Manage- ment Program				3,000
SOURCE OF FUNDS:				
(1) State General Fund		3,000		
Total Wilkerson Creek Wa- tershed District		3,000		3,000
90. Y.M.C.A. YOUTH LEGISLATURE:				
(a) Special Services Program				15,000
SOURCE OF FUNDS:				
(1) State General Fund		15,000		
Total Y.M.C.A. Youth Legislature		15,000		15,000
91. CLAY COUNTY BLUEBERRY FESTIVAL:				
(a) Special Services Program				2,025
SOURCE OF FUNDS:				
(1) State General Fund		2,025		
Total Clay County Blueberry Festival		2,025		2,025
92. POP WARNER NATIONAL ACADEMIC/FOOTBALL CHAMPIONSHIP BOWL:				
(a) Special Services Program				15,000

JOURNAL OF THE SENATE, 1985
29th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
	(1) State General Fund	15,000		
<hr/>				
	Total Pop Warner National Academic/Football Champi- onship Bowl	15,000		15,000
<hr/>				
93.	PARENTS ANONYMOUS OF ALABAMA:			
	(a) Social Services Program			75,000
SOURCE OF FUNDS:				
	(1) State General Fund	75,000		
	Total Parents Anonymous of Alabama	75,000		75,000
<hr/>				
94.	BUCK CREEK WATERSHED:			
	(a) Water Resource Development Program			25,000
SOURCE OF FUNDS:				
	(1) State General Fund	25,000		
	Total Buck Creek Watershed	25,000		25,000
<hr/>				
F.	DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:			
	1. General Obligation Capital Improvement Bonds, Series B, Estimated			996,875
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer	996,875		
	Total General Obligation Cap- ital Improvement Bonds, Se- ries B, Estimated	996,875		996,875
<hr/>				
	2. General Obligation Coosa Waterway Bonds, Series A and B, Estimated			1,012,768
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer	1,012,768		
	Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated	1,012,768		1,012,768
<hr/>				
	3. General Obligation Docks Fa- cilities Bonds, Series A-C, Estimated			4,146,300

REGULAR SESSION
29th Day

1639

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Funds	
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	4,146,300			
Total General Obligation Docks Facilities Bonds, Series A-C, Estimated	4,146,300			4,146,300
4. Inland Waterway Improve- ment Bonds, Series A, Estimated				178,775
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	178,775			
Total Inland Waterway Im- provement Bonds, Series A, Estimated	178,775			178,775
5. Tennessee-Tombigbee Water- way Bonds, Series A and C-D, Estimated				3,682,110
SOURCE OF FUNDS:				
(1) State General Fund - Transfer Estimated pur- suant to Constitutional Amendment No. CCLXX as provided in Act No. 248, 1967 Regular Session	3,682,110			
Total Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated	3,682,110			3,682,110
6. Corrections Institution Bonds, Estimated				1,900,438
SOURCE OF FUNDS:				
(1) State General Fund - Transfer, Estimated	1,900,438			
Pursuant to Constitu- tional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.				

JOURNAL OF THE SENATE, 1985
29th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Funds	
Total Corrections Institution Bonds, Estimated	1,900,438		1,900,438
7. General Obligation Bonds, 1982, Series A and B, and Gen- eral Obligation Refunding Bonds, 1983, Series A and B, Estimated			66,655,765
SOURCE OF FUNDS:			
(1) State General Fund - Transfer, Estimated	66,655,765		
Total General Obligation Bonds, 1982, Series A and B, and General Obligation Re- funding Bonds, 1983, Series A and B, Estimated	66,655,765		66,655,765

Section 3. That, except as may be herein otherwise provided, that amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 through 96, Code of Alabama 1975, as amended, and the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975.

Section 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission, or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission, or agency.

Section 5. In addition to appropriations herein made, all gifts, grants, contributions, appropriations, entitlements or any other funds, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and

the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

Section 6. Under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, any interest earned by the State thereon, together with any accruals or reversions accruing from Revenue Sharing Investments are hereby appropriated for General Government to be spent at the discretion of the Governor.

Section 7. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or the trust fund from which the appropriation or appropriations were made.

Section 8. That, if any section, paragraph, sentence, clause, provision, or portion of the Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 9. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 10. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

Section 11. That this Act shall become effective October 1, 1985.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Senators:	Corbett	Hand	Mitchem
Aldridge	deGraffenried	Hilliard	Parsons
Amari	Denton	Holmes	Sanders
Bailey	Dixon	Horn	Smith (B)
Barron	Drinkard	Langford	Smith (J)
Bedsole	Ellis	Little	Strong
Bennett	Foshee	Menton	Teague
Cooley	Goodwin		

—29

Nays:

—0

The Standing Committee on Finance and Taxation then reported the following amendment No. 1 to the Bill, H. B. 332, as amended, to-wit:

COMMITTEE AMENDMENT TO H. B. 332, AS AMENDED

Amend House Bill 332, as amended, on page 52, line 29 by striking "507,705" and by inserting in lieu thereof "502,705.

Further amend House Bill 332 on page 53 after line 17 by inserting "Old Spanish Fort Foundation 5,000"

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Little	
Aldridge	Cooley	Ellis	Menton	
Amari	Corbett	Foshee	Mitchem	
Bailey	Covington	Goodwin	Sanders	
Barron	deGraffenried	Hand	Smith (B)	
Bedford	Denton	Hilliard	Smith (J)	
Bedsole	Dial	Holmes	Strong	
Bennett	Dixon	Langford	Teague	—31

Nays:

—0

The Standing Committee on Finance and Taxation then reported the following amendment No. 2 to the Bill, H. B. 332, as amended, by the substitute, as amended, to-wit:

COMMITTEE AMENDMENT NO. 2 TO H. B. 332, AS AMENDED

Amend House Bill 332, as amended, on Page 122, after Line 24, by inserting the following:

95. Amos Alonzo Stagg Bowl

(a) Special Services Program ... 10,000

SOURCE OF FUNDS:

(1) State General Fund 10,000

Total Amos Alonzo Stagg

Bowl 10,000 10,000

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Menton	
Aldridge	Cooley	Foshee	Mitchem	
Amari	Corbett	Goodwin	Sanders	
Bailey	Covington	Hand	Smith (B)	
Barron	deGraffenried	Hilliard	Smith (J)	
Bedford	Denton	Holmes	Strong	
Bedsole	Dixon	Langford	Teague	
Bennett	Drinkard	Little		—30

Nays:

—0

Senator Parsons offered the following amendment to the Bill, H. B. 332, as amended by the substitute, as amended, to-wit:

AMENDMENT TO H. B. 332, AS AMENDED

Amendment to H. B. 332 as it may be substituted or amended

Amend H. B. 332 by striking therefrom subsection "E" of Section 2 in its entirety;

REGULAR SESSION
29th Day

1643

Further amend H. B. 332 by renumbering subsection "F" of Section 2 to subsection "E";

Further amend H. B. 332 by adding a new subsection "F" to Section 2 as follows:

**"F. MENTAL HEALTH AND
MENTAL RETARDATION,
DEPARTMENT OF**

(a) For the operation of the Glen Ireland Center	3,297,622	
SOURCE OF FUNDS:		
(1) State General Fund - Operations	3,297,622	
<hr/>		
Total Department of Mental Health and Mental Retardation	3,297,622	3,297,622"

BUDGET ISOLATION RESOLUTIONS

Senator Mitchem requested and received permission to suspend the Rules in order that the following Resolutions might be offered, to-wit:

Senator Bishop, B. I. R., H. B. 361, Rules.

Also:

Senator Bishop, B. I. R., H. B. 452, Rules.

Also:

Senator Bishop, B. I. R., H. B. 471, Rules.

Also:

Senator Bishop, B. I. R., H. B. 453, Rules.

Also:

Senator Bishop, B. I. R., H. B. 462, Rules.

FURTHER CONSIDERATION OF H. B. 332

The Senate proceeded to further consideration of the Bill, H. B. 332, as amended by the substitute, as amended. The question was on the amendment offered by Senator Parsons.

MOTION IN WRITING

Senator Bailey offered the following Motion in Writing, to-wit:

I move to table the Parsons amendment to H. B. 332.

Which was adopted.

Yeas 16; Nays 8.

Yeas:

Senators:	Dial	Goodwin	Horn
Bailey	Dixon	Hand	Langford
Barron	Drinkard	Hilliard	Sanders
Corbett	Foshee	Holmes	Smith (B)
Denton			

Nays:

Senators:	Bedsole	Cooley	Parsons
Aldridge	Cabaniss	deGraffenried	Strong
Amari			

—8

FURTHER CONSIDERATION OF H. B. 332

The Senate proceeded to further consideration of the Bill, H. B. 332, as amended by the substitute, as amended.

Senator Amari offered the following amendment to the Bill, H. B. 332, as amended by the substitute, as amended, to-wit:

AMENDMENT TO H. B. 332, AS AMENDED

Amend House Bill No. 332 as amended by substitute, as amended, Page 60 Line 30, by striking out the figure "\$5,500,000 after the word "of" and insert in lieu thereof the figure "\$7,500,000"

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Senators:	Corbett	Hand	Mitchem
Aldridge	Covington	Hilliard	Parsons
Amari	deGraffenried	Holmes	Sanders
Bailey	Denton	Horn	Smith (B)
Barron	Dixon	Langford	Smith (J)
Bedsole	Drinkard	Little	Strong
Cabaniss	Ellis	Menton	Teague
Cooley	Goodwin		

—29

Nays:

—0

Senator Cooley, offered the following amendment to the Bill, H. B. 332, as amended by the substitute, as amended, to-wit:

AMENDMENT TO H. B. 332, AS AMENDED

Amend House Bill No. 332 as amended by substituted, as amended Page 31 Line 17, by striking out the figure "314,453" and inserting "321,953"; Further amend House Bill 332 as substituted on page 32, line 5 by striking the figure "223,784" and insert in lieu thereof the figure "218,784". Further amend House Bill 332 on page 31, line 32 by striking the figure "200,861" and insert in lieu thereof the figure "198,361".

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Bennett	Dixon	Menton
Aldridge	Cabaniss	Drinkard	Mitchem
Amari	Cooley	Foshee	Parsons
Bailey	Corbett	Goodwin	Smith (B)
Barron	Covington	Hand	Strong
Bedford	deGraffenried	Holmes	Teague
Bedsole	Denton	Little	

—26

Nays:

—0

And said Bill, H. B. 332, as thus amended by the substitute, as amended, was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Senators:	Cooley	Ellis	Little
Aldridge	Corbett	Figures	Mitchem
Amari	Covington	Foshee	Parsons
Bailey	deGraffenried	Goodwin	Smith (B)
Bedsole	Denton	Hilliard	Smith (J)
Bennett	Dial	Holmes	Teague
Cabaniss	Dixon	Langford	

—26

Nays: —0

RESOLUTIONS

Senators Amari, Bennett, Horn, Cabaniss, Hilliard, and Parsons requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 238. DESIGNATING GOODLOE RUTLAND "CHAIRMAN EMERITUS", BOARD OF DIRECTORS, BIRMINGHAM-JEFFERSON CIVIC CENTER AUTHORITY.

WHEREAS, in 1972, the Jefferson County Legislative Delegation elected Goodloe Rutland a Director of the Birmingham-Jefferson Civic Center Authority Board of Directors, and in recognition of his outstanding service re-elected him to a second four-year term in 1976, and he served continuously as a Board member and only Chairman of the Board from December, 1972, to October, 1984, conducting over 200 consecutive official meetings of the Board and scores of other meetings with architects, contractors, staff members and others; and

WHEREAS, under his leadership, the Concert Hall and Theatre, which were incomplete when he was first elected to the Board, were successfully completed and officially opened in October, 1974, and the coliseum was re-designed, financed and constructed to serve as exemplary multi-purpose facility catering to large audiences, opening in September, 1976, and other major improvements were completed including a 60,000 square foot addition to the existing Exhibition Hall; and

WHEREAS, the Civic Center is a tremendous success, being recognized as one of the great assets of Birmingham, Jefferson County, and the entire State of Alabama; and

WHEREAS, in recognition and appreciation of his outstanding service, it is the desire of the Alabama Legislature to honor Mr. Rutland in an appropriate and grateful manner; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby designate Goodloe Rutland with the honorary title of "Chairman Emeritus" of the Board of Directors of the Birmingham-Jefferson Civic Center Authority, as an expression of our deep appreciation for his service.

BE IT FURTHER RESOLVED, That a copy of this Resolution be forwarded to Mr. Rutland.

On motion of Senator Amari, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Dixon, Langford, Foshee, Covington, Teague, and Holmes requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 239. CONGRATULATING WLWI-RADIO, MONTGOMERY, ALABAMA, NATIONAL COUNTRY MUSIC RADIO STATION OF THE YEAR.

WHEREAS, the Alabama Legislature, in consensus of commendation and great personal pride, notes the selection of WLWI-Radio in Montgomery, Alabama, as Country Music Radio Station of the Year, a prestigious award bestowed annually by the Academy of Country Music; and

WHEREAS, this significant recognition of excellence is by vote of recording artists, song writers and other industry associates who are members of the Academy, and their professional assessment of WLWI as number one was made from a field of more than 5,000 country music stations throughout America; and

WHEREAS, WLWI's award was announced on May 6, 1985, during the nationally telecast Academy of Country Music Awards program, and it was a moment of great pride and joy for the citizens of Montgomery and the entire State of Alabama; and

WHEREAS, it further is significant to note that WLWI first began broadcasting on January 16, 1979, and, in just six short years, has reached the national pinnacle of success; and

WHEREAS, the executives and staff of WLWI Radio are indeed to be praised for outstanding achievement and for the fame and honor they have brought to their community and the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend and congratulate WLWI in Montgomery, Alabama, and direct that copies of this resolution be forwarded to America's Country Music Radio Station of the Year for appropriate presentation and display.

On motion of Senator Dixon, the Rules were suspended and the Resolution was adopted by the Senate.

BUDGET ISOLATION RESOLUTION

Senator Figures requested and received permission to suspend the Rules in order to offer the following Resolution, to-wit:

Senator Figures, B. I. R., H. B. 1002, Rules.

RESOLUTIONS

Senator Teague requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 240. COMMENDING ZORA ELLIS OF TALLADEGA, ALABAMA.

WHEREAS, Zora Ellis, a native of Jasper, Alabama, in the year 1901, has for a major portion of her life been involved in improving the lives of

REGULAR SESSION
29th Day

1647

thousands of Talladega and Alabama residents through her outstanding classroom teaching in the public schools; and

WHEREAS, this gracious Southern lady has been instrumental in her unmatched manner of stimulating youth to want to learn, beginning with a year of teaching at Empire, followed by three years at Winfield, and finally a span of 42 years at Talladega High School; and

WHEREAS, during this time she has not only excelled in teaching, but has been an active part of the Talladega community, serving her church, Trinity United Methodist Church, as organist for almost 55 years; working diligently for her alma mater, Huntingdon College, where she served as President of the Alumni Association, was recognized as the award winner in 1951 for Alumni work and in 1981 received the Loyalty Award; active in Delta Kappa Gamma Society, serving as International President of the organization in 1960-62; received the Talladega Chamber of Commerce Notable Service Award in 1952; and was recognized by the Pilot Club of Talladega as the Teacher of the Year in 1967; and

WHEREAS, she received the Talladega Civitan Club Citizenship Citation in 1967; was honored by a Zora Ellis Night at a Talladega High School football game in 1968; honored by her church when a Sunday School class was named the Zora Ellis Class; was named President of the Talladega City Teacher Association, being the first classroom teacher to be so honored; elected as President of the Alabama Education Association in 1950-51; received the Service Award by Talladega High School during Alumni Week in 1981; and was honored by the dedication of the school yearbook, "Tallala," two times, in 1947 and 1968; and

WHEREAS, she is listed in Who's Who in American Education, Who's Who in Alabama, Personalities of the South, and Who's Who in American Women (First Edition) and has garnered numerous other awards and honors too lengthy to mention; and

WHEREAS, this person is beloved by all who have known her and thousands who have learned of her through stories passed along to their children and grandchildren and who equally love and respect her for her impact upon their lives; and

WHEREAS, the Mayor of Talladega, Larry Barton, has proclaimed May 25, 1985, to be "Zora Ellis Day" in the City of Talladega and, at a dinner on that date, a school building will be named the Zora Ellis Middle School; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join with the citizens of Talladega and of all Alabama in recognition of Zora Ellis for outstanding professional and community service.

BE IT FURTHER RESOLVED, That a copy of this resolution shall be presented to Zora Ellis, a prominent educator and an exemplary citizen whom we hold in highest regard.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 241. COMMENDING AUBURN UNIVERSITY ON THE OUTSTANDING SUCCESS OF ITS GENERATIONS FUND.

WHEREAS, Auburn University has recently announced that its Generations Fund has generated over \$100 million in cash and pledges for university programs; and

WHEREAS, this outstanding effort to raise funds from private sources is indicative of the high regard which the University enjoys among alumni, foundations, corporations and friends of the institution; and

WHEREAS, the combination of state support and private contributions from the Generations Fund will greatly strengthen the University, thereby making Alabama more attractive for business and industry; and

WHEREAS, this successful fund-raising effort is intended to supplement funds provided by the Legislature and thereby provides a margin of excellence that state funds alone could not provide; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend the Auburn University Foundation, its alumni, faculty, students and friends for providing this record of private support and assure them that the Alabama Legislature will continue its support so that Auburn University can achieve its full potential.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the members of the Board of the Auburn University Foundation, Board of Trustees and President James E. Martin so they will know of our pride in this accomplishment.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little then requested and received permission to suspend the Rules in order to offer the following Senate Resolution, to-wit:

S. R. 242. COMMENDING MR. A. J. HILL, PROFESSOR, AUBURN UNIVERSITY, FOR HIS OUTSTANDING CONTRIBUTIONS TO EDUCATION AND COMMUNITY.

Which was adopted.

Senator Strong requested and received permission to suspend the Rules to offer the following Senate Resolutions, to-wit:

S. R. 243. MOURNING THE DEATH OF MRS. VALTENA LARKIN SCOTT OF DEMOPOLIS, MARENGO COUNTY, ALABAMA.

Also:

S. R. 244. MOURNING THE DEATH OF MRS. N. C. FLOYD OF DEMOPOLIS, MARENGO COUNTY, ALABAMA.

Also:

S. R. 245. MOURNING THE DEATH OF WILLIAM HAMPTON ANDREWS OF THOMASVILLE, ALABAMA.

Which were adopted.

Senator Corbett requested and received permission to suspend the Rules to offer the following Senate Joint Resolution, to-wit:

S. J. R. 246. EXPRESSING THE LEGISLATURE'S SUPPORT OF UNIVERSAL AND EQUITABLE LONG DISTANCE TELEPHONE SERVICE RATES.

WHEREAS, one of the results of the breakup of the Bell System has been the increased number of companies offering long distance telephone services in Alabama, now including America's largest retailer, Sears Roebuck, which has entered the long distance marketplace in Alabama as a promoter of the services of MCI, the second largest long distance company; and

WHEREAS, while the end of the long distance telephone monopoly should be good news to Alabama consumers, concerns have been raised that the alleged benefits of competition are not being passed on to the consumer and that the regulatory burdens are not being shared equally by all the long distance competitors; and

WHEREAS, for example, we are informed that Sears and MCI may receive a 35 percent discount on charges for access to local telephone companies even though there is no significant difference in the actual economic costs of providing this access, thereby giving them a major cost advantage over their chief competitor, AT&T, though apparently they are not required to fully pass on these cost savings to the consumer. A second advantage is that AT&T serves all telephone users in Alabama, but its competitors are free to serve only the most profitable areas; consequently, many of the state's telephone users, particularly those in rural areas that AT&T competitors do not wish to serve, must pay more because AT&T does not receive the 35 percent discount; and

WHEREAS, in the case of long distance resellers, they are apparently entitled to purchase for resale AT&T's services at less than AT&T's cost, but again the resellers are not passing the savings on to consumers. There also is little, if any, oversight of the rates charged by resellers, while AT&T's rates are strictly regulated; and

WHEREAS, a final concern relates to the overall level of access charges for connections to the local telephone companies. We are informed that Alabama imposes the highest such charges in the U. S. and that they are not based on economic costs; consequently, Alabama consumers pay the highest intrastate long distance rates in the country, and we fail to see why Alabamians should be required to pay more for long distance than consumers in Georgia, Mississippi, or any other state; and

WHEREAS, it is the desire of this Legislature that steps should be taken to eliminate the regulatory inequities that now exist among long distance competitors and to eliminate the high costs that keep long distance rates too high in Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby go on record in support of universal and equitable long distance telephone service rates and urge the Alabama Public Service Commission to take whatever action necessary to insure equal discount service to all telephone consumers in the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Alabama Public Service Commission.

On motion of Senator Corbett, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bedsole requested and received permission to suspend the Rules in order to offer the following Senate Resolutions, to-wit:

S. R. 247. COMMENDING GLENYS S. MASON, PROMINENT MOBILE COUNTY EDUCATOR.

Also:

S. R. 248. COMMENDING MARY J. TROUTMAN OF MOBILE, ALABAMA, SCHOOL NURSE OF THE YEAR.

Also:

S. R. 249. MOURNING THE DEATH OF DELVIN LATHAN OF THEODORE, ALABAMA.

Which were adopted.

Senator Smith (J) requested and received permission to suspend the Rules in order to offer the following Senate Resolutions, to-wit:

S. R. 250. COMMENDING GEOFFREY R. RHINEHART OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

S. R. 251. COMMENDING DR. LEROY F. HARRIS, HUNTSVILLE, ALABAMA, FOR OUTSTANDING CONTRIBUTIONS TO THE MEDICAL PROFESSION.

Which were adopted.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 114. MOURNING THE UNTIMELY DEATH OF RONNIE JOE PIERCE OF UNION SPRINGS, ALABAMA.

Also:

S. J. R. 50. COMMENDING DOCTOR GEORGE C. SMITH OF LIVENILLE, ALABAMA, PRESIDENT OF THE ALABAMA CATTLEMEN'S ASSOCIATION.

Also:

S. J. R. 227. COMMENDING MARGARET A. CARPENTER, ALABAMA'S SMALL BUSINESS PERSON OF THE YEAR.

On motion of Senator Cooley, the Resolutions were then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 122. MOURNING THE DEATH OF EUGENE RUSSELL COCHRAN OF FORT PAYNE, ALABAMA.

Also:

S. R. 152. COMMENDING JOSEPH PATRICK SIDES OF FLORENCE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

REGULAR SESSION
29th Day

1651

Also:

S. R. 150. COMMENDING LEONARD BRAGG OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 151. COMMENDING MR. E. DUDLEY BURWELL OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 113. COMMENDING PHILLIPS HIGH SCHOOL, BEAR CREEK, ALABAMA, ON THE GIRLS BASKETBALL STATE 1A CHAMPIONSHIP.

Also:

S. R. 115. RECOGNIZING THE POSTHUMOUS INDUCTION INTO THE MILLPORT SPORTS HALL OF FAME OF MR. W. W. WALDROP.

Also:

S. R. 116. COMMENDING MR. BELTON MCADAMS, OF REFORM, ALABAMA, UPON HIS INDUCTION INTO THE MILLPORT SPORTS HALL OF FAME.

Also:

S. R. 117. COMMENDING MRS. SARA E. COOK BELL OF MONTGOMERY, ALABAMA, UPON HER INDUCTION INTO THE MILLPORT SPORTS HALL OF FAME.

Also:

S. R. 118. COMMENDING MR. G. G. BILLINGSLEY OF COLUMBUS, MISSISSIPPI, UPON HIS INDUCTION INTO THE MILLPORT SPORTS HALL OF FAME.

Also:

S. R. 119. COMMENDING SHERIFF RICHARD VARNON, OF VERNON, ALABAMA, UPON HIS INDUCTION INTO THE MILLPORT SPORTS HALL OF FAME.

Also:

S. R. 120. COMMENDING MR. LOUIE BLALOCK, OF CULLMAN, ALABAMA, UPON HIS INDUCTION INTO THE MILLPORT SPORTS HALL OF FAME.

Also:

S. R. 121. COMMENDING MRS. NOLA H. GARRISON, MERIT MOTHER OF THE YEAR.

Also:

S. R. 124. COMMENDING MR. CLINTON L. FREEMAN OF MILLPORT, ALABAMA, UPON HIS INDUCTION INTO THE MILLPORT SPORTS HALL OF FAME.

Also:

S. R. 125. COMMENDING MR. JOHN MATHIS, UPON HIS INDUCTION INTO THE MILLPORT SPORTS HALL OF FAME.

Which were adopted.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 81. COMMENDING THE UNIVERSITY OF SOUTH ALABAMA AND ITS ATHLETIC PROGRAM.

Also:

H. J. R. 160. COMMENDING ALFRED F. DELCHAMPS, JR., 1984 MOBILIAN OF THE YEAR.

On motion of Senator Cooley, the Resolutions were concurred in and adopted by the Senate.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Appointment, and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Joseph T. Sutton as Executive Director of the Alabama Commission on Higher Education.

On motion of Senator Cooley, the appointment of Dr. Sutton was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Senators:	Denton	Hand	Parsons
Aldridge	Ellis	Horn	Smith (B)
Bedsole	Figures	Langford	Smith (J)
Cabaniss	Foshee	Little	Strong
Cooley	Goodwin	Menton	Teague
Corbett			

—20

Nays:

—0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 123. DESIGNATING, IN COMMENDATION, THAT PORTION OF HIGHWAY 35 WITHIN THE CITY LIMITS OF SECTION, ALABAMA, AS THE "TAMMY LITTLE DRIVE."

On motion of Senator Barron, the Resolution was then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 108. NAMING A PORTION OF THE NEW FOUR-LANE ALABAMA HIGHWAY 24, THE "GORDON TERRY PARKWAY."

On motion of Senator Cooley, the Resolution was then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 92. NAMING THE ALABAMA ARMY NATIONAL GUARD ARMORY AT MOULTON, ALABAMA, THE "HERMAN L. BREWINGTON ARMORY."

On motion of Senator Denton, the Resolution was then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 94. NAMING A PORTION OF HIGHWAY 223 IN PIKE COUNTY, ALABAMA, THE "JEFF SORRELL HIGHWAY."

On motion of Senator Cooley, the Resolution was then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 222. CREATING THE JOINT INTERIM LEGISLATIVE OPERATIONS, RESEARCH AND SERVICES STUDY COMMITTEE.

On motion of Senator Cooley, the Resolution was then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 72. REQUESTING THE ALABAMA CONGRESSIONAL DELEGATION TO ACCELERATE RESEARCH EFFORTS ON CONTROL OF FIRE ANTS; AND, TO URGE ALL STATES BORDERING ALABAMA TO JOIN IN SEEKING THE ASSISTANCE OF THEIR CONGRESSIONAL DELEGATIONS TO CONTROL AND ERADICATE THE FIRE ANT PROBLEM.

Also:

H. J. R. 207. EXPRESSING THE LEGISLATURE'S SUPPORT FOR THE CONTINUED FUNDING, BY THE FEDERAL GOVERNMENT, OF THE JOB CORPS PROGRAM.

On motion of Senator Cooley, the Resolutions were then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 397. TO CREATE AND ESTABLISH A JOINT INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT OF THE LEGISLATURE OF ALABAMA.

On motion of Senator Bedford, further consideration of the Resolution, H. J. R. 397, was postponed subject to the call of the Chair.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 167. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY THE RIGHTS OF EX-SPOUSES TO MILITARY RETIREMENT BENEFITS.

On motion of Senator Corbett, further consideration of the Resolution, S. J. R. 167, was postponed subject to the call of the Chair.

RESOLUTIONS

Senator Bedsole requested and received permission to suspend the Rules in order to offer the following Senate Resolutions, to-wit:

S. R. 252. COMMENDING MRS. FAYE SEEBECK AS OUTSTANDING TEACHER OF THE YEAR.

Also:

S. R. 253. COMMENDING DAVID D. ROBERTS OF MOBILE, ALABAMA, PRESIDENT OF THE NATIONAL ASSOCIATION OF REALTORS.

Which were adopted.

FURTHER CONSIDERATION OF H. J. R. 397

The Senate proceeded to further consideration of the Resolution, H. J. R. 397.

On motion of Senator Langford, the Resolution was then concurred in and adopted by the Senate.

REPORT FROM RULES

Senator Bishop, B. I. R., H. B. 361, Rules reported favorably, adopted.

REGULAR SESSION
29th Day

1655

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchem
Aldridge	Cooley	Hand	Parsons
Amari	Corbett	Holmes	Sanders
Bailey	Denton	Horn	Smith (B)
Barron	Dial	Little	Strong
Bedsole	Dixon	Menton	Teague
Bennett	Ellis		

—25

Nays: —0

Senator Bishop, B. I. R., H. B. 452, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Mitchem
Aldridge	Cooley	Goodwin	Parsons
Amari	Corbett	Hand	Sanders
Barron	Denton	Horn	Smith (B)
Bedford	Dial	Little	Strong
Bedsole	Dixon	Menton	Teague
Bishop	Ellis		

—25

Nays: —0

Senator Bishop, B. I. R., H. B. 453, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Mitchem
Aldridge	Cooley	Goodwin	Parsons
Amari	Corbett	Hand	Sanders
Barron	Denton	Horn	Smith (B)
Bedford	Dial	Little	Strong
Bedsole	Dixon	Menton	Teague
Bishop	Ellis		

—25

Nays: —0

Senator Bishop, B. I. R., H. B. 462, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Mitchem
Aldridge	Cooley	Goodwin	Parsons
Amari	Corbett	Hand	Sanders
Barron	Denton	Holmes	Smith (B)
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays: —0

Senator Bishop, B. I. R., H. B. 471, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Mitchem	
Aldridge	Cooley	Goodwin	Parsons	
Amari	Corbett	Hand	Sanders	
Barron	Denton	Holmes	Smith (B)	
Bedford	Dial	Horn	Strong	
Bedsole	Dixon	Little	Teague	
Bishop	Ellis			—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 361. To make appropriations for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1986.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 361, to-wit:

COMMITTEE AMENDMENT TO H. B. 361

Amend H. B. 361 on page 1, lines 20 and 21 by striking out the words and figures "Four Hundred Fifty Thousand Dollars (\$450,000)" after the word "of" and insert in lieu thereof the following:

"Four Hundred Seventy-nine Thousand Seven Hundred Ninety Dollars (\$479,790)"

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Corbett	Drinkard	Little	
Bailey	Covington	Ellis	Parsons	
Bedford	deGraffenried	Foshee	Smith (B)	
Bennett	Denton	Goodwin	Smith (J)	
Cabaniss	Dial	Hilliard	Strong	—19

Nays:

—0

Senator Corbett offered the following amendment to the Bill, H. B. 361, as amended, to-wit:

AMENDMENT TO H. B. 361, AS AMENDED

Amend House Bill 361, as amended, on Page 1, Lines 20 and 21 by striking the following:

"Four hundred seventy nine thousand seven hundred ninety dollars (\$479,790)"

REGULAR SESSION
29th Day

1657

and by inserting in lieu thereof the following:

"Five hundred ninety six thousand and twenty-five dollars (\$596,025)"

Which was adopted.

Yeas 19; Nays 1.

Yeas:

Senators:	Corbett	Goodwin	Parsons	
Bailey	deGraffenried	Hand	Sanders	
Bedford	Denton	Horn	Smith (B)	
Bennett	Dial	Langford	Strong	
Cabaniss	Ellis	Little	Teague	—19

Nay Senator Bedsole —1

And said Bill, H. B. 361, as thus amended, was read a third time at length and passed.

Yeas 27; Nays 3.

Yeas:

Senators:	deGraffenried	Goodwin	Menton	
Aldridge	Denton	Hand	Mitchem	
Bennett	Dial	Hilliard	Parsons	
Cabaniss	Drinkard	Holmes	Sanders	
Cooley	Ellis	Horn	Smith (B)	
Corbett	Figures	Langford	Smith (J)	
Covington	Foshee	Little	Strong	—27

Nays:

Senators:	Bailey	Bedsole	Dixon	—3
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THE BILL:

H. 453. To make appropriations for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1986.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 453, to-wit:

COMMITTEE AMENDMENT TO H. B. 453

Amend H. B. 453 on page 1, lines 20 and 21 by striking out the words and figures "One Hundred Seventy-Five Thousand Dollars (\$175,000)" after the word "of" and insert in lieu thereof the following:

"One Hundred Eighty-six Thousand Five Hundred and Eighty-five Dollars (\$186,585)"

Which was adopted.

Yeas 26; Nays 1.

Yeas:

Senators:	deGraffenried	Goodwin	Parsons
Aldridge	Denton	Hand	Sanders
Bailey	Dial	Hilliard	Smith (B)
Bedford	Drinkard	Horn	Smith (J)
Cabaniss	Ellis	Langford	Strong
Cooley	Figures	Little	Teague
Corbett	Foshee	Menton	

—26

Nay Senator Dixon

—1

Senator Corbett offered the following amendment to the Bill, H. B. 453, as amended, to-wit:

AMENDMENT TO H. B. 453, AS AMENDED

Amend House Bill 453, as amended, on Page 1, Lines 20 and 21 by striking the following:

“One Hundred Eighty Six Thousand Five Hundred and Eighty-Five Dollars (\$186,585)”

and by inserting in lieu thereof the following:

“Two Hundred Thirty One Thousand Seven Hundred and Eighty Eight Dollars (\$231,788)”

Which was adopted.

Yeas 28; Nays 1.

Yeas:

Senators:	Corbett	Foshee	Menton
Aldridge	deGraffenried	Goodwin	Parsons
Bailey	Denton	Hilliard	Sanders
Bedford	Dial	Holmes	Smith (B)
Bedsole	Drinkard	Horn	Smith (J)
Bennett	Ellis	Langford	Strong
Cabaniss	Figures	Little	Teague
Cooley			

—28

Nay Senator Dixon

—1

And said Bill, H. B. 453, as thus amended, was read a third time at length and passed.

Yeas 29; Nays 1.

Yeas:

Senators:	Covington	Goodwin	Menton
Aldridge	deGraffenried	Hand	Mitchem
Bailey	Denton	Hilliard	Sanders
Bedford	Dial	Holmes	Smith (B)
Bennett	Drinkard	Horn	Smith (J)
Cabaniss	Ellis	Langford	Strong
Cooley	Figures	Little	Teague
Corbett	Foshee		

—29

Nay Senator Dixon

—1

THE BILL:

H. 462. To make appropriations for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1986. was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 462, to-wit:

COMMITTEE AMENDMENT TO H. B. 462

Amend H. B. 462 on page 1, lines 20 and 21, by striking out the words and figures "Three Hundred Seventy Five Thousand Dollars (\$375,000.00)" after the word "of" and insert in lieu thereof the following:

"Three Hundred Ninety-nine Thousand Eight Hundred and Twenty-five Dollars (\$399,825)"

Which was adopted.

Yeas 27; Nays 1.

Yeas:

Senators:	deGraffenried	Hand	Mitchem	
Aldridge	Denton	Hilliard	Parsons	
Bedford	Drinkard	Holmes	Sanders	
Bennett	Ellis	Horn	Smith (B)	
Cooley	Figures	Langford	Smith (J)	
Corbett	Foshee	Little	Strong	
Covington	Goodwin	Menton	Teague	—27

Nay Senator Dixon —1

Senator Corbett offered the following amendment to the Bill, H. B. 462, as amended, to-wit:

AMENDMENT TO H. B. 462, AS AMENDED

Amend House Bill 462, as amended, on Page 1, Lines 20 and 21 by striking the following: "Three hundred ninety-nine thousand eight hundred twenty five dollars (\$399,825)"

and by inserting in lieu thereof the following:

"Four hundred ninety-six thousand six hundred eighty-eight (\$496,688)"

Which was adopted.

Yeas 27; Nays 2.

Yeas:

Senators:	deGraffenried	Hand	Mitchem	
Aldridge	Denton	Hilliard	Parsons	
Bennett	Drinkard	Holmes	Sanders	
Cabaniss	Ellis	Horn	Smith (B)	
Cooley	Figures	Langford	Smith (J)	
Corbett	Foshee	Little	Strong	
Covington	Goodwin	Menton	Teague	—27

Nays:

Senators:	Barron	Dixon	—2
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And said Bill, H. B. 462, as thus amended, was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Mitchem	
Aldridge	Denton	Hilliard	Parsons	
Bailey	Dixon	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	
Cooley	Figures	Little	Strong	
Corbett	Foshee	Menton	Teague	
Covington	Goodwin			—29

<i>Nays:</i>	—0
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THE BILL:

H. 471. To make appropriations for the support and maintenance of the Tuskegee Institute for the fiscal year ending September 30, 1986.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 462, to-wit:

COMMITTEE AMENDMENT TO H. B. 471

Amend House Bill 471 on page 1, lines 20 and 21 by striking the words and figures:

“One Million Five Hundred Ten Thousand Dollars (\$1,510,000)” and insert in lieu thereof the following:

“One Million Six Hundred Ten Thousand Dollars (\$1,610,000)”

Which was adopted.

Yeas 26; Nays 1.

Yeas:

Senators:	Covington	Hand	Mitchem	
Bailey	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bennett	Drinkard	Horn	Smith (J)	
Cabaniss	Ellis	Langford	Strong	
Cooley	Foshee	Little	Teague	
Corbett	Goodwin	Menton		—26

<i>Nay Senator Dixon</i>	—1
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REGULAR SESSION
29th Day

1661

Senator Corbett offered the following amendment to the Bill, H. B. 471, as amended, to-wit:

AMENDMENT TO H. B. 471, AS AMENDED

Amend House Bill 471, as amended, on Page 1, Lines 20 and 21 by striking the following:

“ending September 30, 1986, the Sum of One Million Six Hundred Ten Thousand Dollars (\$1,610,000), out of the funds in the Alabama Special Educational”

and by inserting in lieu thereof the following:

“ending September 30, 1986, the Sum of Two Million dollars (\$2,000,000), out of the funds in the Alabama Special Educational”

Which was adopted.

Yeas 30; Nays 1.

Yeas:

Senators:	Corbett	Goodwin	Mitchem	
Aldridge	Covington	Hand	Parsons	
Bailey	Denton	Hilliard	Sanders	
Barron	Dial	Holmes	Smith (B)	
Bedford	Drinkard	Horn	Smith (J)	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley	Foshee	Menton		—30

Nay Senator Dixon —1

And said Bill, H. B. 471, as thus amended, was read a third time at length and passed.

Yeas 30; Nays 1.

Yeas:

Senators:	Corbett	Foshee	Menton	
Aldridge	Covington	Goodwin	Mitchem	
Bailey	deGraffenried	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bennett	Drinkard	Horn	Smith (J)	
Cabaniss	Ellis	Langford	Teague	
Cooley	Figures	Little		—30

Nay Senator Dixon —1

THE BILL:

H. 452. To make appropriations for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1986.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 452, to-wit:

COMMITTEE AMENDMENT TO H. B. 452

Amend House Bill 452 on page 1, lines 20 and 21 by striking out the words and figures "Three Hundred Fifty Thousand Dollars (\$350,000)" after the word "of" and insert in lieu thereof the following:

"Three Hundred Seventy-three Thousand One Hundred and Seventy Dollars (\$373,170.00)"

Which was adopted.

Yeas 28; Nays 1.

Yeas:

Senators:	Covington	Goodwin	Menton	
Aldridge	deGraffenried	Hand	Mitchem	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bennett	Drinkard	Horn	Smith (J)	
Cabaniss	Ellis	Langford	Strong	
Cooley	Foshee	Little	Teague	
Corbett				—28

Nay Senator Dixon —1

Senator Corbett offered the following amendment to the Bill, H. B. 452, as amended, to-wit:

AMENDMENT TO H. B. 452, AS AMENDED

Amend House Bill 452, as amended, on Page 1, Lines 20 and 21 by striking the following:

"Three Hundred Seventy Three Thousand One Hundred Seventy Dollars (\$373,170)"

and by inserting in lieu thereof the following:

"Four Hundred Sixty-three Thousand Five Hundred and Seventy-five Dollars (\$463,575)"

Which was adopted.

Yeas 28; Nays 1.

Yeas:

Senators:	deGraffenried	Hand	Mitchem	
Aldridge	Denton	Hilliard	Parsons	
Barron	Dial	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	
Cooley	Foshee	Little	Strong	
Corbett	Goodwin	Menton	Teague	
Covington				—28

Nay Senator Dixon —1

REGULAR SESSION
29th Day

1663

And the Bill, H. B. 452, as thus amended, was read a third time at length and passed.

Yeas 27; Nays 1.

Yeas:

Senators:	Denton	Hand	Mitchem
Aldridge	Dial	Hilliard	Parsons
Cabaniss	Drinkard	Holmes	Sanders
Cooley	Ellis	Horn	Smith (B)
Corbett	Figures	Langford	Smith (J)
Covington	Foshee	Little	Strong
deGraffenried	Goodwin	Menton	Teague

—27

Nay Senator Dixon —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 276. To amend Section 12-17-61, Code of Alabama 1975, so as to provide that Dale and Houston Counties shall each have two resident district court judges; to amend Section 12-17-20, Code of Alabama 1975, so as to provide that the 21st Judicial Circuit shall have two resident circuit court judges and the 29th Judicial Circuit shall have three resident circuit court judges; to provide for the establishment and creation of said additional judgeships; to provide for the appointment or election, as provided herein, of the first judges to fill said judgeships; to provide for the powers, duties and responsibilities of said additional judgeships; to provide for the salary of said judgeships; to provide an appropriation to the unified judicial system for the maintenance of said judgeships; and, to provide effective dates.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 276, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 276

Amend Senate Bill 276, page 6, line 30, after the word "in" by striking ~~1986~~ and inserting in lieu thereof 1988 and on line 32, after the comma by striking ~~1987~~ and inserting in lieu thereof 1989

And on page 7, line 11, after the word "year" by striking ~~1986-87~~ and inserting in lieu thereof 1988-89

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Little
Bailey	Denton	Goodwin	Menton
Barron	Dial	Hand	Sanders
Bennett	Dixon	Holmes	Smith (B)
Cabaniss	Drinkard	Horn	Strong
Cooley	Ellis	Langford	Teague
Covington	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTIONS

Senator Parsons requested and received permission to suspend the Rules to offer and adopt the following Budget Isolation Resolutions, to-wit:

Senator Parsons, B. I. R., H. B. 936.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Mitchem
Aldridge	Corbett	Hand	Parsons
Amari	Denton	Holmes	Sanders
Bailey	Dial	Horn	Smith (B)
Bedford	Dixon	Little	Smith (J)
Bedsole	Ellis	Menton	Teague
Cabaniss	Foshee		

—25

Nays:

—0

Senator Parsons, B. I. R., H. B. 941.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Hand	Mitchem
Aldridge	Denton	Hilliard	Parsons
Amari	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Smith (J)
Bishop	Drinkard	Little	Strong
Cabaniss	Ellis	Menton	Teague
Cooley	Figures		

—25

Nays:

—0

Senator Parsons, B. I. R., H. B. 938.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Menton
Aldridge	Corbett	Foshee	Parsons
Bailey	Covington	Hand	Smith (B)
Barron	Denton	Holmes	Smith (J)
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Cabaniss	Ellis		

—25

Nays:

—0

REGULAR SESSION
29th Day

1665

Senator Parsons, B. I. R., H. B. 939.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Hand	Mitchem	
Amari	Denton	Hilliard	Parsons	
Bailey	Dial	Holmes	Smith (B)	
Bedford	Dixon	Horn	Smith (J)	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays:

—0

Senator Parsons, B. I. R., H. B. 947.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Mitchem	
Aldridge	Cooley	Goodwin	Parsons	
Amari	deGraffenried	Hand	Smith (B)	
Bailey	Denton	Holmes	Smith (J)	
Barron	Dial	Horn	Strong	
Bedsole	Dixon	Little	Teague	
Bishop	Ellis			—25

Nays:

—0

Senator Parsons, B. I. R., H. B. 946.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Menton	
Aldridge	Corbett	Foshee	Mitchem	
Amari	deGraffenried	Hand	Parsons	
Bedford	Denton	Holmes	Smith (B)	
Bedsole	Dial	Horn	Strong	
Bishop	Drinkard	Little	Teague	
Cabaniss	Ellis			—25

Nays:

—0

Senator Parsons, B. I. R., H. B. 945.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Mitchem	
Aldridge	Cooley	Goodwin	Parsons	
Amari	deGraffenried	Hand	Sanders	
Bailey	Denton	Holmes	Smith (B)	
Barron	Dial	Horn	Strong	
Bedsole	Dixon	Little	Teague	
Bishop	Ellis			—25

Nays:

—0

Senator Parsons, B. I. R., H. B. 940.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Menton	
Aldridge	Corbett	Foshee	Parsons	
Bailey	Covington	Hand	Smith (B)	
Barron	Denton	Holmes	Smith (J)	
Bedsole	Dial	Horn	Strong	
Bennett	Dixon	Little	Teague	
Cabaniss	Ellis			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 86. To amend Section 41-4-93, Code of Alabama, 1975, so that reimbursements from any source made to the Rehabilitation and Crippled Children Service for state funds expended on behalf of clients do not revert at the end of a fiscal year.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Dixon, the Senate concurred in and adopted the following House substitute for the Bill, S. B. 86 the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 86

A BILL TO BE ENTITLED AN ACT

To amend Section 16-38-8, Code of Alabama 1975, so that reimbursement from any source made to the State Department of Education, Rehabilitation and Crippled Children Service for state funds expended on behalf of clients do not revert at the end of a fiscal year.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-38-8, Code of Alabama 1975, is hereby amended to read as follows:

“Section 16-38-8.

“(a) The moneys appropriated by the state of Alabama, the funds deposited with the treasurer under the provisions of the federal act and any other funds accruing to the state for vocational rehabilitation training of disabled persons shall be used by the state board of education for the purposes set forth in this chapter, and the moneys appropriated and accruing shall

be paid out upon requisition of the state superintendent of education upon the comptroller, who shall draw his warrants upon the treasurer for the amount for which requisition was made.

"(b) All reimbursements received by the State Department of Education, Rehabilitation and Crippled Children Service for state funds expended on behalf of clients shall not revert to the state treasury under the provisions of Section 41-4-93 but shall carry forward to the next fiscal year. All reimbursements described in this subsection are hereby appropriated and designated as continuing appropriations to the State Department of Education, Rehabilitation and Crippled Children Service to be expended on behalf of clients."

Section 2. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Foshee	Menton
Amari	Covington	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Bedford	Dial	Holmes	Smith (B)
Bedsole	Dixon	Horn	Teague
Bennett	Drinkard		

—25

Nays:

—0

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 254. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters until disposed of for the twenty-ninth legislative day only:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 114	Territorial Bill	84
H. B. 936	Child Abuse, missing persons inf. ctr. estab. within dept. public safety	57
H. B. 941	Child abuse, criminal history checks for sex crimes auth. on persons having direct supervision of minors	59
H. B. 928	Children, child abuse Prevention Bd., Children Trust Fund, powers, duties rehiring staff, comp., dis. of funds	57

H. B. 938	Children, special assis. in crim. proceedings inv. children who are victims or witnesses to a crime	58
H. B. 939	Children, testifying in child or sexual abuse cases, special criminal procedural safeguards auth.	58
H. B. 940	Adoption, foster parent applicants, dept. of pensions and sec. auth. to conduct criminal history invest.	59
H. B. 945	Child Protection Teams, estab. in cos. by Pensions and Sec. Dept. to protect children against child abuse	60
H. B. 946	Missing persons, sharing of inf. re among agencies	61
H. B. 947	Child victims of sexual abuse or exp., cert. protections granted re identity, interviews, and the concealing of court rec., pen.	61

Senator Hand offered the following substitute for the Resolution, S. R. 254, to-wit:

SUBSTITUTE FOR S. R. 254

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business, taking precedence over all other matters until disposed of:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 936	Missing person information center	
H. B. 941	Disclose sex crime records	
H. B. 928	Child Abuse Prevention Board	
H. B. 938	Children as victims	
H. B. 939	Sexual abuse of children	
H. B. 940	Adoption and foster application	
H. B. 945	Child abuse protection team	
H. B. 946	Share child abuse information	
H. B. 947	Child abuse victims ID	

On motion of Senator Parsons, said substitute was laid on the table.

And on motion of Senator Bishop, the Resolution was then adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 114. To establish service territories for electric suppliers within the State; to provide the means of eliminating or reducing the potential for

duplication of electric distribution facilities used for furnishing retail electric service; to mandate and implement the determination of which electric supplier shall furnish retail electric service to electric customers within various areas of the State including areas within municipal limits of municipalities as such municipal limits existed on April 26, 1984 and outside municipal limits based on the location of electric distribution facilities as of January 1, 1984; to provide that the primary electric supplier within each municipality in the State shall have the right, at its option, to purchase all distribution facilities of any secondary electric supplier used to supply retail electric service within the municipal limits as such municipal limits existed on April 26, 1984 and have the right to serve all premises within the municipal limits as such municipal limits existed on April 26, 1984, subject to certain conditions; to define the right and obligation of municipalities and municipally-owned electric suppliers to provide electric service in areas outside the municipal limits as such municipal limits existed on April 26, 1984 based on the location of electric distribution facilities as of January 1, 1984; to provide electric suppliers designated to serve particular areas outside municipal limits of any municipality, an option to purchase facilities of other suppliers constructed in such area after January 1, 1984; to provide for resolution of disputes between electric suppliers regarding sale or purchase of electric facilities; to provide for the applicability of certain provisions of Title 37, Code of Alabama (1975); to provide special rules for elimination of duplication of facilities in the case of certain agreements between electric suppliers; to prohibit the providing of electric service in violation of this Act; to provide for judicial review and validation of the provisions of this Act by the courts and set out procedures governing such proceedings and appeals therefrom; to provide that certain provisions of the Act are not severable and that if any such provision is declared invalid under state law, the remaining provisions also shall be invalid, and to further provide that if the Act is declared invalid, any actions taken by any party in conformity with the provisions of the Act shall be lawful but that any electric service rendered pursuant to the provisions of the Act shall be terminated; and to repeal all laws or parts of laws in conflict herewith or if Act No. 84-206, adopted in the Regular Session of 1984, is upheld, to amend Act No. 84-206 so as to provide for and approve additional agreements between electric suppliers to eliminate duplication of facilities.

was taken up.

Senator Aldridge offered the following amendment to the Bill, H. B. 114, to-wit:

AMENDMENT TO H. B. 114

Amend House Bill 114, as amended, by adding to Section 7 thereof, at the end thereof, the following:

"15. In addition to the foregoing special rules for elimination of duplication of electrical distribution facilities and services, the Legislature hereby determines that the following further provisions are in the public interest and are not inconsistent with the purposes and policies of this Act; therefore, in the areas to which the following provisions are made applicable, the provisions for elimination and prevention of duplication of electrical distribution facilities and services are hereby mandated by the Legislature, and shall govern and be applicable, viz:

(a) The City of Decatur, Alabama (herein called "Decatur") may, at its option, continue to serve all its present industrial customers and all new

industrial customers with initial loads of 1,000 KW or greater located outside the city limits of Decatur and within the "special industrial service area" described as follows:

Beginning on the South bank on the Tennessee River on the East Line of Section 36, Township 5 South, Range 4 West; thence South to the SE corner of Section 1, Township 6 South, Range 4 West; thence West to the SW corner of said Section 1; thence South to the SE corner of Section 11, Township 6 South, Range 4 West; thence West along section lines to the SW corner of Section 10, Township 6 South, Range 5 West; thence North along section lines to the South bank of the Tennessee River; thence upstream along the South bank of the Tennessee River, as it meanders, to the point of beginning.

(b) Unless Decatur and Joe Wheeler Electric Membership Cooperation, a rural electric cooperative association (herein called "Joe Wheeler") agree otherwise in writing, whichever electrical supplier gives, or has given initial service to an industrial customer within the "special industrial service area" described in Paragraph (a) above, shall continue to provide service to that customer.

(c) In the event there is developed an industrial park lying on the South bank of the Tennessee River, and West of the "special industrial service area", described in Paragraph (a) above, which contemplated industrial park is presently known, by its preliminary design as the "Fox Creek-Mallard Creek Industrial Park", Joe Wheeler shall serve industrial customers therein having initial loads of 2,500 KW or less, and Decatur shall serve all industrial customers therein having initial loads of 2,501 KW or more.

(d) At its option, and except as herein otherwise provided, Joe Wheeler may serve all other electric customers outside the city limits of Decatur, as such may exist from time to time, and Decatur may not, except as herein otherwise provided, serve or attempt to serve, without consent of Joe Wheeler, customers outside its city limits, as such may exist from time to time; provided, however, Decatur may serve such customers which, at the time of the enactment hereof, are located outside the city limits of Decatur, are presently serviced by Decatur, and are in an area where Joe Wheeler does not have electrical service facilities at the time of the enactment hereof.

(e) Following enactment hereof, at such times as the city limits of Decatur are extended, unless Joe Wheeler and Decatur agree otherwise, in writing, the following provisions shall govern:

(i) Joe Wheeler shall sell to Decatur, and Decatur shall buy from Joe Wheeler all of Joe Wheeler's electrical service rights and associated electrical distribution facilities within the extended city limits of Decatur at a fair market value which shall include the following elements:

(1) All distribution facilities within any area to which the city limits of Decatur may be extended from time to time shall be valued at their depreciated value, using a thirty (30) year straight line depreciation formula; provided, however, that in no event shall the value of any item be less than seventy percent (70%) of the new, current replacement costs of such item.

(2) Joe Wheeler shall be compensated for loss of future revenues from existing electrical customer premises within areas to which the city limits of Decatur may be extended, from time to time, in an amount equal to two and one-half (2½) times Joe Wheeler's net revenue (i.e., Joe Wheeler's gross revenue less its power costs) from each such customer premises for the

twelve (12) month period immediately preceeding the date of the extension of Decatur's city limits which included the premises of such customer.

(3) For the loss of potential revenue from future electrical customers whose premises lie within an area to which the city limits of Decatur may be extended from time to time, and to which premises initial electrical service begins following the city limit extension by which such premises come within the city limits of Decatur, Joe Wheeler shall receive an amount equal to fifty percent (50%) of Decatur's net revenues (i.e., Decatur's gross revenue less power costs) from each new customer within the area of an extended city limit for a period commencing with the date of initial electrical service to such premises and continuing to such date as shall be ten (10) years from the date of the extension of Decatur's city limits which included the premises of that customer.

(4) Joe Wheeler shall be compensated for the salvage value of any of Joe Wheeler's facilities which will be rendered unusable by it after an area formerly served by Joe Wheeler is included within the city limits of Decatur and the electrical distribution system therein integrated into Decatur's system.

(5) Joe Wheeler shall be compensated for all costs incurred by it in connection with the reintegration of its system following a transfer by it to the City of Decatur of customers whose premises lie within an area included in an extension of the city limits of Decatur.

(ii) Upon any extension of the city limits of Decatur following the enactment hereof, Joe Wheeler and Decatur shall fix and determine the fair market value of Joe Wheeler's existing electrical service rights and facilities which lie within the area to which the city limit of Decatur has been extended, based on Paragraph (i), Items (1), (2), (4) and (5), next above, within ninety (90) days after the close of a calendar year during which the city limits of Decatur have been extended, and such purchase price as thus determined shall be paid to Joe Wheeler within sixty (60) days thereafter. If Decatur and Joe Wheeler are unable to agree on the fair market value of Joe Wheeler's existing electrical service rights and facilities based on Paragraph (i), Items (1), (2), (4) and (5), above, within the said ninety (90) day period, both parties shall petition the Tennessee Valley Authority to determine such price, based on such elements, and the price so determined by the Tennessee Valley Authority shall be paid by Decatur to Joe Wheeler within sixty (60) days following notification by the Tennessee Valley Authority of such determined price.

The compensation payable to Joe Wheeler by Decatur under Paragraph (i), Item (3) above for those potential customers whose premises are brought within the city limits of Decatur by an extension of such city limits following the enactment hereof shall be paid by Decatur to Joe Wheeler within sixty (60) days after the end of each calendar year during which any such payments shall accrue."

Further, amend Section 11 by adding, immediately following Paragraph (d) thereof:

"(e) The provisions contained in Item 15 of Section 7 hereof."

Which was lost.

Yeas 8; Nays 15.

Yeas:

Senators:	Denton	Little	Smith (B)
Aldridge	Hand	Sanders	Teague
Bailey			

Nays:

Senators:	Bennett	Ellis	Hilliard	
Amari	Cooley	Figures	Horn	
Bedford	Covington	Foshee	Langford	
Bedsole	Dixon	Goodwin	Strong	— 15

On motion of Senator Aldridge, further consideration of the Bill, H. B. 114, was postponed subject to the call of the Chair.

BILLS ON THIRD READING RESUMED

Senator Denton requested and received permission to suspend the Rules in order to bring up the following non-controversial, local Bills, to-wit:

BUDGET ISOLATION RESOLUTION

Senator Holmes, B. I. R., H. B. 1000.

Senator Denton requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Menton	
Aldridge	Cooley	Foshee	Mitchem	
Amari	Corbett	Hand	Sanders	
Bailey	Denton	Holmes	Smith (J)	
Barron	Dial	Horn	Strong	
Bedsole	Dixon	Little	Teague	
Bennett	Ellis			—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1000. Relating to Calhoun County; to provide for the levying of additional sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3, and 40-23-4, Code of Alabama 1975, as amended, providing for the collection, distribution and use of the proceeds of such tax; and providing for the enforcement of this act by the state department of revenue; prescribing penalties and fixing punishment for violation of this act; and providing for an effective date and referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Menton	
Aldridge	Cooley	Foshee	Mitchem	
Amari	Corbett	Hand	Sanders	
Bailey	Denton	Holmes	Smith (J)	
Barron	Dial	Horn	Strong	
Bedsole	Dixon	Little	Teague	
Bennett	Ellis			—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Holmes, B. I. R., H. B. 952.

Senator Denton requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Mitchem
Aldridge	Corbett	Hand	Parsons
Amari	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Smith (B)
Bedsole	Drinkard	Little	Strong
Bishop	Ellis	Menton	Teague
Cabaniss	Foshee		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 952. Relating to the City of Anniston in Calhoun County; to amend further Section 3 of Act No. 592, S. 456, Regular Session 1953 (Acts 1953, p. 838), providing for a civil service system for the city, so as to provide further for exemptions.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Mitchem
Aldridge	Corbett	Hand	Parsons
Amari	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Smith (B)
Bedsole	Drinkard	Little	Strong
Bishop	Ellis	Menton	Teague
Cabaniss	Foshee		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Holmes, B. I. R., H. B. 1030.

Senator Denton requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Menton	
Aldridge	Cooley	Foshee	Mitchem	
Amari	Corbett	Hand	Parsons	
Barron	Denton	Holmes	Smith (B)	
Bedford	Dial	Horn	Smith (J)	
Bedsole	Dixon	Little	Teague	
Bishop	Ellis			—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1030. Relating to Calhoun County; to provide that at the May 14, 1985, general election the qualified electors of the county shall decide whether to keep its present three-member form of county commission or to adopt a different five-member form of county commission, beginning at the 1986 general election.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Menton	
Aldridge	Cooley	Foshee	Mitchem	
Amari	Corbett	Hand	Parsons	
Barron	Denton	Holmes	Smith (B)	
Bedford	Dial	Horn	Smith (J)	
Bedsole	Dixon	Little	Teague	
Bishop	Ellis			—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Denton, B. I. R., H. B. 1012.

Senator Denton requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Figures	Menton	
Aldridge	Covington	Foshee	Mitchem	
Barron	Denton	Hand	Parsons	
Bedford	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Drinkard	Little	Teague	
Cooley	Ellis			—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1012. Relating to Lauderdale County; making the office of the chairman of the county commission full time; providing for an advisory referendum election as to the question of whether the qualified electors of Lauderdale County favor the Lauderdale County Commission having a full-time commission chairman and for notice of the referendum; providing for the election of such full-time chairman; providing for the qualifications, term of office, residency requirements, compensation, powers, duties and authority of such chairman; providing for the transfer of office from the incumbent chairman, who is the judge of probate, to the newly elected chairman and the relief of the incumbent for all responsibilities therefrom; and prescribing an effective date and the repeal of conflicting laws.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Figures	Menton	
Aldridge	Covington	Foshee	Mitchem	
Barron	Denton	Hand	Parsons	
Bedford	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Drinkard	Little	Teague	
Cooley	Ellis			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Denton, B. I. R., H. B. 851.

Senator Denton requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little	
Aldridge	Cooley	Foshee	Menton	
Bailey	Corbett	Goodwin	Mitchem	
Barron	Denton	Hand	Parsons	
Bedsole	Dial	Holmes	Smith (J)	
Bennett	Dixon	Horn	Teague	
Bishop	Ellis			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 851. Relating to Lauderdale County; to provide for an advisory referendum election as to the question of whether the qualified electors of

Lauderdale County favor the Lauderdale County Commission having a full-time commission chairman; and to provide for notice of the election.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little	
Aldridge	Cooley	Foshee	Menton	
Bailey	Corbett	Goodwin	Mitchem	
Barron	Denton	Hand	Parsons	
Bedsole	Dial	Holmes	Smith (J)	
Bennett	Dixon	Horn	Teague	
Bishop	Ellis			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Teague, B. I. R., H. B. 973.

Senator Denton requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Horn	
Aldridge	Corbett	Figures	Little	
Amari	Covington	Foshee	Menton	
Bailey	Denton	Goodwin	Smith (J)	
Barron	Dial	Hand	Strong	
Bedford	Dixon	Holmes	Teague	
Bedsole	Drinkard			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 973. Relating to Coosa County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Coosa County at a referendum election held for such purposes; and providing for a second referendum on its continuation.

was read a third time at length and passed.

REGULAR SESSION
29th Day

1677

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Horn
Aldridge	Corbett	Figures	Little
Amari	Covington	Foshee	Menton
Bailey	Denton	Goodwin	Smith (J)
Barron	Dial	Hand	Strong
Bedford	Dixon	Holmes	Teague
Bedsole	Drinkard		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Smith (J), B. I. R., H. B. 962.

Senator Denton requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Aldridge	Cooley	Goodwin	Parsons
Amari	Corbett	Hand	Sanders
Bailey	Denton	Holmes	Smith (J)
Barron	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bennett	Ellis		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 962. Providing for a referendum election on the question of the method of selecting a license commissioner for Limestone County, Alabama, and prescribing procedure for electing such commissioners if the qualified electors of the county voting in such election are in favor of electing such commissioner.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Aldridge	Cooley	Goodwin	Parsons
Amari	Corbett	Hand	Sanders
Bailey	Denton	Holmes	Smith (J)
Barron	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bennett	Ellis		

—25

Nays: —0

RESOLUTION

Senator Bedford requested and received permission to suspend the Rules to offer the following Senate Resolution, to-wit:

S. R. 255. HONORING, POSTHUMOUSLY, THE LATE EMMETT ODEN.

Which was adopted.

BUDGET ISOLATION RESOLUTION

Senator Barron, B. I. R., H. B. 1028.

Senator Barron requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton	
Aldridge	Cooley	Goodwin	Mitchem	
Amari	Corbett	Hand	Sanders	
Barron	Denton	Holmes	Smith (J)	
Bedford	Dial	Horn	Strong	
Bedsole	Dixon	Little	Teague	
Bennett	Ellis			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1028. Relating to DeKalb County; authorizing the county governing body to levy a tax on tobacco products.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton	
Aldridge	Cooley	Goodwin	Mitchem	
Amari	Corbett	Hand	Sanders	
Barron	Denton	Holmes	Smith (J)	
Bedford	Dial	Horn	Strong	
Bedsole	Dixon	Little	Teague	
Bennett	Ellis			—25

Nays: —0

BILL RECONSIDERED

Senator Parsons moved that the Senate reconsider the vote by which the Bill, H. B. 544, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 707. Relating to Calhoun County; providing for the compensation of certain county officials and providing for the Judge of Probate to be reimbursed for the actual expenses of preparing voter lists.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Holmes, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 707, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 707

Amend S. B. 707, page 1, by striking lines 18 through 22 in its entirety and inserting in lieu thereof the following:

Section 1. Beginning with the next term of office, in lieu of any other compensation or expense allowances now provided by law, certain officials of Calhoun County shall be entitled to annual salaries as follows:

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Aldridge	Cooley	Goodwin	Mitchem
Amari	Corbett	Hand	Parsons
Bailey	Denton	Holmes	Sanders
Barron	Dial	Horn	Strong
Bedford	Dixon	Little	Teague
Bedsole	Ellis		

—25

Nays: —0

BILLS RE-REFERRED

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, moved that the Bill, H. B. 1011, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 1011, re-referred to the Standing Committee on Rules.

REPORT FROM RULES

Senator Dixon, B. I. R., H. B. 309, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Langford	
Aldridge	Cooley	Foshee	Little	
Amari	Corbett	Goodwin	Menton	
Barron	Denton	Hand	Sanders	
Bedford	Dial	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Ellis			—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 309. Relating to Montgomery County Commissioners; providing an expense allowance which shall be supplemental to any and all other compensation or mileage and payable from county funds; and to provide that this act shall be null and void under certain circumstances.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Langford	
Aldridge	Cooley	Foshee	Little	
Amari	Corbett	Goodwin	Menton	
Barron	Denton	Hand	Sanders	
Bedford	Dial	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Ellis			—25

Nays:

—0

RESOLUTION

Senator Bedsole requested and received permission to suspend the Rules to offer the following Senate Resolution, to-wit:

S. R. 256. COMMENDING MISS SHAWN CALLAHAN AS ALABAMA'S PRINCESS IN THE SEVENTY-THIRD ANNUAL CHERRY BLOSSOM FESTIVAL.

Which was adopted.

BILLS RE-REFERRED

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, moved that the Bills, H. B.'s 430, 820, 951, 860, 456, 489, 674, 204, 569, 764, 866, and 1044, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 430, 820, 951, 860, 456, 489, 674, 204, 569, 764, 866, and 1044, be re-referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 7. To provide preferential treatment towards admission to any medical research program for any disease deemed crippling or fatal, because of the lack of a known cure, for any sworn full time, regular employed state, county or municipal police officer or fire fighter.

Also:

S. 29. Relating to sales representatives; requiring written contracts between sales representatives and principals when commissions are involved; requiring the principal to furnish the representative with a signed copy of the contract; providing for the payment of commissions upon termination of certain agreements; providing for civil damages; providing an effective date.

Also:

S. 86. To amend Section 16-38-8, Code of Alabama 1975, so that reimbursement from any source made to the State Department of Education, Rehabilitation and Crippled Children Service for state funds expended on behalf of clients do not revert at the end of a fiscal year.

Also:

S. 87. To amend Sections 40-18-15 and 40-18-35 of the Code of Alabama 1975, relating to state income tax deductions for individuals and corporations, so as to provide further for such deductions.

Also:

S. 276. To amend Section 12-17-61, Code of Alabama 1975, so as to provide that Dale and Houston Counties shall each have two resident district court judges; to amend Section 12-17-20, Code of Alabama 1975, so as to provide that the 21st Judicial Circuit shall have two resident circuit court judges and the 29th Judicial Circuit shall have three resident circuit court judges; to provide for the establishment and creation of said additional judgeships; to provide for the appointment or election, as provided herein, of the first judges to fill said judgeships; to provide for the powers, duties and responsibilities of said additional judgeships; to provide for the salary of said judgeships; to provide an appropriation to the unified judicial system for the maintenance of said judgeships; and, to provide effective dates.

Also:

S. 286. To amend Code of Alabama 1975, §28-3A-3 (being Section 3, Act No. 80-529, Acts 1980, known as the Alcoholic Beverage Licensing Code) to provide that manufacturer, importer, wholesaler and warehouse licenses may be renewed in a dry county or dry municipality where the county or municipality was wet when the initial license was issued and the county or municipality subsequently votes dry, and to prohibit the sale or distribution of alcoholic beverages within a dry county (except in wet municipalities) or a dry municipality.

Also:

S. 287. To be known as the "Alabama Eminent Domain Code", providing standards for the acquisition of property by condemnors; provides the procedure for the condemnation action; establishes the standard for the conduct of condemnation actions; establishes the procedure for the determination of just compensation; provides compensation standards; provides the procedure for trial, judgment and postjudgment; provides for arbitration of compensation; provides standards related to evidence in condemnation actions; and repeals Sections 18-1-1 through 18-1-32, of the Code of Alabama of 1975.

Also:

S. 492. To authorize the Highway Director, the State Treasurer and the Director of Finance to become a public corporation; to prescribe the powers of such corporation, including the power to construct industrial access roads and bridges in the state and to finance such construction by the issuance from time to time of its bonds in an aggregate principal amount of up to \$25,000,000 at any time outstanding when the Governor shall determine that the issuance of its bonds is necessary to assure the availability of funds for payment of the cost of such roads and bridges; to provide that such bonds and the income therefrom shall be exempt from taxation and may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust and other fiduciary funds; to provide that bonds issued by the corporation shall be limited obligations of the corporation and shall not create an obligation or debt of the state; to provide that bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to appropriate and pledge, from the State 4 cents Gasoline, Motor Fuel, and Lubricating Oil Excise Taxes allocated to the state and not to the counties, funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments, subject to registration requirements; to provide that the State Treasurer shall be custodian of the funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

BUDGET ISOLATION RESOLUTION

Senator Langford, B. I. R., H. B. 421.

Senator Langford requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

REGULAR SESSION
29th Day

1683

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Langford	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 421. Relating to Montgomery County; to amend Act No. 353 of the Legislature of Alabama Regular Session 1875 to provide that notice of all special sessions of the Montgomery County Commission must be given to a newspaper published in the City of Montgomery.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Langford	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Langford, B. I. R., H. B. 797.

Senator Langford requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Langford	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 797. Relating to Montgomery County; to amend Sections 1(11) and 7(2)(h) of Act No. 356, H. 1066, of the 1973 Regular Session (Acts 1973, p. 492), relating to the Montgomery County Retirement System, so as to provide further for the schedule for making retirement allowance payments; and to provide that regular interest rates shall be as determined from time to time by the county commission.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Langford	Teague	
Bishop	Figures			—25

Nays: —0

REPORT FROM RULES

Senator Little, B. I. R., H. B. 412, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Goodwin	Mitchem	
Amari	Denton	Hand	Parsons	
Bailey	Dial	Holmes	Sanders	
Barron	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 412. To amend Section 17-4-156, Code of Alabama 1975, as amended, relating to the meeting days of the boards of registrars, so as to increase Tallapoosa County's board of registrars meeting days.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Goodwin	Mitchem	
Amari	Denton	Hand	Parsons	
Bailey	Dial	Holmes	Sanders	
Barron	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

REPORT FROM RULES

Senator Little, B. I. R., H. B. 842, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Corbett	Goodwin	Mitchem
Amari	Denton	Hand	Parsons
Bailey	Dial	Holmes	Sanders
Barron	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 842. Relating to Tallapoosa County; providing an expense allowance for members of the county board of education; prescribing the manner of payment; and providing for an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Corbett	Goodwin	Mitchem
Amari	Denton	Hand	Parsons
Bailey	Dial	Holmes	Sanders
Barron	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

REPORT FROM RULES

Senator Little, B. I. R., H. B. 843, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Aldridge	Corbett	Goodwin	Mitchem
Amari	Denton	Hand	Parsons
Bailey	Dial	Holmes	Sanders
Barron	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 843. Relating to Tallapoosa County; to create a license-issuing division within the tax collector's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the tax collector's office; and to transfer certain duties now performed by the tax assessor and probate judge to said office.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Goodwin	Mitchem	
Amari	Denton	Hand	Parsons	
Bailey	Dial	Holmes	Sanders	
Barron	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Little, B. I. R., H. B. 1041.

Senator Little requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1041. Relating to the Fifth Judicial Circuit and expense allowances for each circuit judge; providing a formula for payment of such expense

REGULAR SESSION
29th Day

1687

allowances from the general funds of the counties which compose the said circuit; providing the method of altering such allowances and a referendum thereon; specifically repealing Act No. 597, S. 815, Regular Session 1969 (Acts 1969, p. 1084), relating to such allowances, and all other conflicting laws.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays: —0

RESOLUTION

Senator Amari requested and received permission to suspend the Rules to offer the following Senate Resolution, to-wit:

S. R. 257. COMMENDING GLEN ALEXANDER UPON HIS RETIREMENT.

Which was adopted.

BUDGET ISOLATION RESOLUTION

Senator deGraffenried, B. I. R., H. B. 980.

Senator deGraffenried requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	deGraffenried	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cooley	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 980. Relating to Tuscaloosa County; providing for the salaries of the members of the civil service board in said county and providing for the county personnel director to act as custodian of records.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Amari	deGraffenried	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cooley	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator deGraffenried, B. I. R., H. B. 1005.

Senator deGraffenried requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Amari	deGraffenried	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cooley	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1005. Relating to Tuscaloosa County; amending Sections 1 and 2 of Act No. 936, H. 50, 1981 First Special Session (Acts 1981, p. 88), relating to the compensation and expense allowance for the sheriff of Tuscaloosa County; so as to further provide for an additional expense allowance and expiration date therefor and the sheriff's compensation in the next term of office for sheriff.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Amari	deGraffenried	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cooley	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Corbett, B. I. R., H. B. 960.

Senator Corbett requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

REGULAR SESSION
29th Day

1689

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Mitchem
Amari	Denton	Hand	Parsons
Bailey	Dial	Holmes	Sanders
Barron	Dixon	Horn	Smith (J)
Bedsole	Ellis	Little	Strong
Bishop	Figures	Menton	Teague
Cooley	Foshee		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 960. Relating to Russell County and the fees for pistol permits; providing for the collection and the allocation of such fees; and repealing any conflicting laws.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Amari	Denton	Goodwin	Mitchem
Bailey	Dial	Hand	Parsons
Barron	Dixon	Holmes	Sanders
Bedsole	Drinkard	Horn	Strong
Bishop	Ellis	Little	Teague
Cooley	Figures		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Strong, B. I. R., H. B. 1053.

Senator Strong requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1053. Relating to Monroe County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays:

—0

RESOLUTION

Senator Corbett requested and received permission to offer the following Senate Resolution, to-wit:

S. R. 258. COMMENDING MARY B. STARKE FOR HER DEDICATION AND SERVICE TO THE TEACHING PROFESSION.

Which was adopted.

REPORT FROM RULES

Senator Bedford, B. I. R., H. B. 1061, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	Denton	Goodwin	Mitchem	
Barron	Dial	Hand	Parsons	
Bedford	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cooley	Figures			—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1061. Relating to Marion County; providing for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit criminal court in Marion County.

was read a third time at length and passed.

REGULAR SESSION
29th Day

1691

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Amari	Denton	Goodwin	Mitchem
Barron	Dial	Hand	Parsons
Bedford	Dixon	Holmes	Sanders
Bedsole	Drinkard	Horn	Strong
Bishop	Ellis	Little	Teague
Cooley	Figures		

—25

Nays: —0

REPORT FROM RULES

Senator Bedford, B. I. R., H. B. 1062, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1062. Relating to Franklin County; providing for the disposition of the revenue resulting from certain fees assessed on transactions performed by the tax assessor.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1062, to-wit:

AMENDMENT TO H. B. 1062

Amend House Bill 1062 on page 1, line 26 by deleting "30 percent" and inserting in lieu thereof the following:

"\$6,000.00"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

And said Bill, H. B. 1062, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Teague, B. I. R., H. B. 555.

Senator Teague requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 555. Relating to Coosa County; to provide for a special recording fee on documents filed in the office of the judge of probate; and to prescribe the use thereof.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Teague, B. I. R., H. B. 729.

Senator Teague requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 729. To authorize the Talladega County Board of Health to designate the services rendered by the Talladega County Health Department for which a reasonable fee may be charged. The Talladega County Board of Health is further required to set a maximum fee for each service. The Talladega County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Smith (B), B. I. R., H. B. 859.

Senator Smith (B) requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Parsons	
Amari	Denton	Holmes	Sanders	
Bailey	Dial	Horn	Smith (B)	
Barron	Dixon	Little	Smith (J)	
Bedsole	Ellis	Menton	Strong	
Bishop	Foshee	Mitchem	Teague	
Cooley	Goodwin			—25

Nays: —0**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 859. Relating to Madison County, authorizing municipalities to fund group insurance plans for retired municipal employees.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Parsons	
Amari	Denton	Holmes	Sanders	
Bailey	Dial	Horn	Smith (B)	
Barron	Dixon	Little	Smith (J)	
Bedsole	Ellis	Menton	Strong	
Bishop	Foshee	Mitchem	Teague	
Cooley	Goodwin			—25

Nays: —0**BUDGET ISOLATION RESOLUTION**

Senator Smith (B), B. I. R., H. B. 631.

Senator Smith (B) requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Parsons	
Amari	Denton	Holmes	Sanders	
Bailey	Dial	Horn	Smith (B)	
Barron	Dixon	Little	Smith (J)	
Bedsole	Ellis	Menton	Strong	
Bishop	Foshee	Mitchem	Teague	
Cooley	Goodwin			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 631. Relating to Madison County; providing further for costs and charges in the circuit and district courts of said county in all cases wherein a defendant or juvenile is charged with a violation of the Alabama Uniform Controlled Substances Act; providing for the use of the monies to be derived therefrom and placing certain restrictions thereon.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Parsons
Amari	Denton	Holmes	Sanders
Bailey	Dial	Horn	Smith (B)
Barron	Dixon	Little	Smith (J)
Bedsole	Ellis	Menton	Strong
Bishop	Foshee	Mitchem	Teague
Cooley	Goodwin		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Teague, B. I. R., H. B. 1040.

Senator Teague requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton
Amari	Denton	Hand	Mitchem
Bailey	Dial	Holmes	Parsons
Barron	Dixon	Horn	Sanders
Bedsole	Ellis	Langford	Strong
Bishop	Figures	Little	Teague
Cooley	Foshee		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1040. Relating to Elmore County; authorizing the County Commission to provide clerical help for certain county officials; and repealing all conflicting laws.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton
Amari	Denton	Hand	Mitchem
Bailey	Dial	Holmes	Parsons
Barron	Dixon	Horn	Sanders
Bedsole	Ellis	Langford	Strong
Bishop	Figures	Little	Teague
Cooley	Foshee		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Teague, B. I. R., H. B. 972.

Senator Teague requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 972. To alter, rearrange and extend the boundary lines and corporate limits of the City of Sylacauga in Talladega County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Teague, B. I. R., H. B. 671.

Senator Teague requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 671. To extend, alter and rearrange the boundary lines and corporate limits of the City of Sylacauga, Talladega County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Drinkard, B. I. R., H. B. 562.

Senator Drinkard requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Amari	Denton	Goodwin	Mitchem
Bailey	Dial	Hand	Parsons
Barron	Dixon	Holmes	Sanders
Bedsole	Drinkard	Horn	Strong
Bishop	Ellis	Little	Teague
Cooley	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 562. Relating to Etowah County; to provide for an expense allowance for the Commission Chairman and each County Commissioner and to provide for its retroactive effect.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	Denton	Goodwin	Mitchem	
Bailey	Dial	Hand	Parsons	
Barron	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cooley	Figures			—25

Nays:

—0

BILLS RE-REFERRED

Senator Figures, Chairperson of the Standing Committee on Consumer Affairs, moved that the Bills, H. B.'s 708 and 78, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 708 and 78, re-referred to the Standing Committee on Rules.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, moved that the Bill, H. B. 707, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 707, re-referred to the Standing Committee on Rules.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, moved that the Bills, H. B.'s 948, 927, 514 and 531, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 948, 927, 514, and 531, re-referred to the Standing Committee on Rules.

BUDGET ISOLATION RESOLUTION

Senator Goodwin, B. I. R. No. 2, H. B. 768.

Senator Goodwin requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

REGULAR SESSION
29th Day

1699

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Amari	Covington	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cooley	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 768. Relating to Chilton County, providing further for the compensation of the members of the board of registrars.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Amari	Covington	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cooley	Figures		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Goodwin, B. I. R., H. B. 1052.

Senator Goodwin requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1052. Relating to Bibb County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Bibb County at a referendum election held for such purposes.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator deGraffenried, B. I. R., H. B. 921.

Senator deGraffenried requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	deGraffenried	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cooley	Figures			—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 921. To amend Section 17-4-156 of the Code of Alabama 1975, relating to meeting days of the boards of registrars, so as to increase Tuscaloosa County's board of registrars meeting days and to specifically repeal Act No. 1428, S. 760, 1971 Regular Session (Acts 1971, p. 2454).

was read a third time at length and passed.

REGULAR SESSION
29th Day

1701

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	deGraffenried	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bishop	Ellis	Little	Teague	
Cooley	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Foshee, B. I. R., H. B. 996.

Senator Foshee requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Bailey	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Bishop	Figures	Little	Teague	
Cooley	Foshee			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 996. Relating to Coffee County; providing salary increases for certain clerical employees in certain county offices in said county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Bailey	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Ellis	Langford	Strong	
Bishop	Figures	Little	Teague	
Cooley	Foshee			—25

Nays: —0

THE BILL:

H. 128. Relating to Escambia County; abolishing the office of constable in such county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Foshee, B. I. R., H. B. 738.

Senator Foshee requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 738. To alter and rearrange the boundary lines of the City of Atmore, Escambia County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

RESOLUTION

Senators Goodwin, Bedford, Foshee, Aldridge, Smith (B), Parsons, Dixon, Barron, Cooley, Teague, Strong, Dial, Cabaniss, Mitchem, Hand, Little, Covington, Ellis, deGraffenried, Menton, Bedsole, Holmes, and Denton requested and received permission to suspend the Rules to offer the following Senate Joint Resolution, to-wit:

S. J. R. 259. REAFFIRMING THE LEGISLATURE'S POSITION RELATING TO THE ALABAMA TRUST FUND.

WHEREAS, in the 1985 First Special Session of the Legislature, House Bill 6 proposed an amendment to the Constitution of Alabama of 1901 to create a permanent trust fund for the benefit of Alabama and its citizens, the self-executing fund to be funded by moneys derived from the sale and/or leasing of offshore oil, gas and other minerals; and

WHEREAS, by three-fifth's majority vote of both the Alabama House and Senate, adopted January 29, 1985, the bill became Act No. 85-79 of the 1985 First Special Session and is to be submitted to the Alabama electorate on May 14, 1985; and

WHEREAS, today, as in January 1985, the Legislature holds the position that this unspendable trust, as proposed, is the most responsible and desirable approach to best safeguard State revenues, and that interest generated through investment should be deposited, as allowed, to the State's General Fund for allocation to the needs of all citizens of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby reaffirm the majority position of this body that the proposed provisions of Act No. 85-79 of the 1985 First Special Session of the Legislature are to the best good and benefit of the State of Alabama and the citizens thereof.

Which was read and referred to the Standing Committee on Rules.

BILLS RE-REFERRED

Senator Holmes, Chairperson of the Standing Committee on Small Business, moved that the Bills, H. B.'s 577 and 771, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 577 and 771, re-referred to the Standing Committee on Rules.

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B. I. R., H. B. 734.

Senator Mitchem requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

<i>Nays:</i>				—0
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BILLS ON THIRD READING RESUMED**THE BILL:**

H. 734. Relating to Blount County; authorizing branch banking.
was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

<i>Nays:</i>				—0
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BUDGET ISOLATION RESOLUTION

Senator Mitchem, B. I. R., H. B. 735.

Senator Mitchem requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

<i>Nays:</i>				—0
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BILLS ON THIRD READING RESUMED

THE BILL:

H. 735. Relating to Blount County; altering the Blount County Commission district line between District Three and District Four, so as to place Oneonta in one beat or precinct.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B. I. R., H. B. 334.

Senator Mitchem requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 334. Relating to Blount County; to provide that all county commissioners shall serve full time; providing for compensation; and providing for effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25
Nays:				—0

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B. I. R., H. B. 915.

Senator Mitchem requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25
Nays:				—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 915. Relating to Blount County; to authorize the Board of Health of said County to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged and to provide for the approval of such fee schedule by the County Commission of Blount County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25
Nays:				—0

REGULAR SESSION
29th Day

1707

BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., H. B. 680.

Senator Dial requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 680. Relating to Chambers County; authorizing the county commission to provide a certain additional expense allowance for the sheriff to be paid from the county general fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., H. B. 1004.

Senator Dial requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1004. To alter or rearrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Chambers County, Alabama; and to provide for a referendum election on the provisions of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., H. B. 168.

Senator Dial requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 168 To propose an amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate of Randolph County.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R. No. 2, H. B. 696.

Senator Dial requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 696. Relating to Randolph County; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this act shall be retroactive to January 18, 1983.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., H. B. 912.

Senator Dial requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 912. Relating to Chambers County; to provide for the mailing addresses of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., H. B. 1047.

Senator Dial requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1047. To alter or rearrange the boundary lines of the City of Ashland, Clay County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Clay County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., H. B. 1067.

Senator Dial requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1067. Relating to Randolph County; providing for the county commission to reimburse the office of probate judge or license commissioner for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., H. B. 1018.

Senator Dial requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1018. Relating to Cherokee County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Cherokee County at a referendum election held for such purposes.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., H. B. 1069.

Senator Dial requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1069. To impose a filing fee of Two (\$2.00) Dollars on certain instruments, documents, and papers filed for record in the office of the Probate Judge of Cherokee County, the funds collected therefrom to be used exclusively for the funding of the mental health program in Cherokee County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

REPORT FROM RULES

Senator Figures, B. I. R., H. B. 496, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 496. Relating to Mobile County; to provide for the salary of the Tax Assessor of Mobile County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Figures, B. I. R. No. 2, H. B. 1002.

Senator Figures requested and received permission to suspend the Rules in order that the above B. I. R. No. 2 be adopted.

REGULAR SESSION
29th Day

1715

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1002. To amend Act No. 85-229, H. 526, 1985 Regular Session, which provides for a new form of government for any Class 2 municipality, so as to further provide for the composition of the districts for the new form of government.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

REPORT FROM RULES

Senator Bailey, B. I. R., H. B. 656, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 656. Relating to the salary of the Geneva County Superintendent of Education; establishing an index range for such salary parallel to the

current salary for teachers holding the same academic degree, certification level and experience; providing for the Geneva County Board of Education to set such salary.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

REPORT FROM RULES

Senator Bailey, B. I. R., H. B. 756, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 756. Relating to the Geneva County Superintendent of Education; establishing an index range for any expense allowance granted to such superintendent; authorizing the Geneva County Board of Education to set such salary; and providing such allowance shall be made from the county treasury.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

REPORT FROM RULES

Senator Bailey, B. I. R., H. B. 881, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 881. Relating to Geneva County; providing for the mode of establishing the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Geneva County, providing for an advisory referendum called for such purpose; and providing for an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

REPORT FROM RULES

Senator Bailey, B. I. R., H. B. 882, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 882. Relating to Geneva County; providing for election of the members of the county commission from districts to be defined by the present commission, as provided by law; providing for an advisory referendum by the qualified electors of Geneva County; providing for the members of the commission to reside within the district they represent throughout their terms.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

REPORT FROM RULES

Senator Bailey, B. I. R., H. B. 655, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 655. Relating to Geneva County; providing an expense allowance to the superintendent of education for the period retroactive from July 1, 1984, through June 30, 1985, payable from the county treasury; and providing for an automatic repealer July 1, 1985.

was read a third time at length and passed.

REGULAR SESSION
29th Day

1719

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

REPORT FROM RULES

Senator Bailey, B. I. R., H. B. 883, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 883. Relating to Geneva County; to establish a civil service system for Geneva County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Geneva County; to provide for the appointment of members of the personnel board; and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain county employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the personnel board the authority to require the attendance of witnesses and the production of documents at such proceeding and to establish penalties for failure to attend or produce records as required to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the

punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; and to guarantee certain rights to the governing body of Geneva County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

REPORT FROM RULES

Senator Bailey, B. I. R., H. B. 880, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 880. Relating to Geneva County to amend Section 1 of Act 79-585, Acts of Alabama, page 1045; relating to the clerk hire allowances paid to the tax assessor and tax collector, so as to provide further for such allowances for the period of time from August 1, 1979 through July 31, 1982; and to provide retroactive effect for such period of time.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B. I. R., H. B. 955.

Senator Ellis requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Drinkard	Little	Teague
Bishop	Ellis		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 955. Relating to St. Clair County; to require the installation and maintenance of an improved system of indexing and recording documents affecting the title to property and other documents recorded in the Office of the Judge of Probate; to provide the collection and disposition of a special indexing and recording fee; and to provide that said system shall constitute official and permanent records in St. Clair County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Drinkard	Little	Teague
Bishop	Ellis		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B. I. R., H. B. 694.

Senator Ellis requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 694. Relating to Shelby County; to authorize the county commission to provide for hospital and medical insurance of retired county employees.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B. I. R., H. B. 687.

Senator Ellis requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 687. Relating to Shelby County; prohibiting the sale of the Shelby County Medical Center without prior referendum approval of such sale by the qualified electors of the county and providing for holding such referendum election.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B. I. R., H. B. 574.

Senator Ellis requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Drinkard	Little	Teague
Bishop	Ellis		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 574. Relating to St. Clair County; providing that the probate judge will be the chairman of the county commission and providing for a referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Drinkard	Little	Teague
Bishop	Ellis		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Parsons, B. I. R., H. B. 903.

Senator Parsons requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 903. To provide for an expense allowance for the circuit and district judges and the district attorney of the Fourteenth Judicial Circuit to be paid by the county comprising such circuit; to fix the amount and method of payment of such expense allowance; and to provide that no retirement contributions shall be deducted from the expense allowance.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Parsons, B. I. R., H. B. 736.

Senator Parsons requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 736. Relating to Walker County; proposing an amendment to the Constitution of Alabama of 1901, relating to providing for the operation of bingo games by qualified non-profit organizations for charitable or educational purposes in Walker County.

was read a third time at length as required by the Constitution, and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Parsons, B. I. R., H. B. 570.

Senator Parsons requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 570. Relating to Walker County, to amend Act 1067, S. 938 of the 1973 Regular Session (Acts 1973, p. 1802) as amended relating to the county commission, so as to delete the requirement of certain additional meetings in each district of Walker County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Little	
Amari	Corbett	Foshee	Menton	
Bailey	Denton	Goodwin	Mitchem	
Barron	Dial	Hand	Parsons	
Bedford	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Horn	Strong	
Bishop	Ellis			—25

Nays: —0**BUDGET ISOLATION RESOLUTION**

Senator Parsons, B. I. R., H. B. 572.

Senator Parsons requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 572. Relating to Walker County; to provide that the county governing body may provide clerk-hire allowances to county offices and county officers and to repeal certain conflicting laws.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Parsons, B. I. R., H. B. 571.

Senator Parsons requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 571. Relating to Walker County; providing a monthly expense allowance for each member of the Walker County Commission; and providing that such monthly expense allowance shall be the total expense allowance and shall be paid from the county general fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bennett	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., H. B. 1006.

Senator Covington requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1006. Relating to Pike County; providing further for an expense allowance for the county commission of said county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., H. B. 1013.

Senator Covington requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1013. Relating to Pike County; to create the Troy-Pike County Lake Authority; and to provide for the composition and powers of said authority.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., H. B. 861.

Senator Covington requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 861. To propose an amendment to the Constitution of Alabama of 1901, so as to authorize Pike County to establish local ad valorem tax rates on certain motor vehicles whether for governing bodies or entities within the county.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Covington	Hand	Parsons	
Barron	Denton	Holmes	Sanders	
Bedford	Dial	Horn	Strong	
Bedsole	Dixon	Little	Teague	
Bishop	Ellis			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., H. B. 982.

Senator Covington requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Covington	Hand	Parsons	
Barron	Denton	Holmes	Sanders	
Bedford	Dial	Horn	Smith (J)	
Bedsole	Dixon	Little	Teague	
Bishop	Ellis			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 982. Relating to law enforcement in Dale County; an act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees.

was read a third time at length and passed.

REGULAR SESSION
29th Day

1731

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Smith (J)
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., H. B. 721.

Senator Covington requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 721. Relating to Crenshaw County; to authorize the county commission to increase their expense allowance and provide for the source of said funds.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., H. B. 780.

Senator Covington requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 780. Relating to the second judicial circuit; granting law enforcement authority to the investigators of the district attorney's office and the district attorney shall have the authority to have the investigators and other employees of his office to assist him in the presence of the grand jury except when said jury is deliberating.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Ellis	Little
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	Denton	Hand	Parsons
Bedford	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bishop	Drinkard		

—25

Nays:

—0

REPORT FROM RULES

Senator Covington, B. I. R., H. B. 85, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays:

—0

REGULAR SESSION
29th Day

1733

BILLS ON THIRD READING RESUMED

THE BILL:

H. 85. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in Pike County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., H. B. 604.

Senator Covington requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Strong
Bedsole	Dixon	Little	Teague
Bishop	Ellis		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 604. To amend Section 17-4-156, Code of Alabama 1975, relating to the meeting days of the boards of registrars, so as to increase Pike County's board of registrars meeting days.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Covington	Hand	Parsons	
Barron	Denton	Holmes	Sanders	
Bedford	Dial	Horn	Strong	
Bedsole	Dixon	Little	Teague	
Bishop	Ellis			—25
<i>Nays:</i>				—0

BUDGET ISOLATION RESOLUTION

Senator Hand, B. I. R., H. B. 857.

Senator Hand requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25
<i>Nays:</i>				—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 857. Relating to Mobile County; to exempt from all county, local, or municipal ad valorem taxes all property owned and used by The Woman's Club of Saraland, Inc., a nonprofit corporation, retroactive to October 1, 1983.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25
<i>Nays:</i>				—0

BUDGET ISOLATION RESOLUTION

Senator Hand, B. I. R., H. B. 1056.

Senator Hand requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1056. To amend Act No. 92, Acts of Alabama 1956, providing for the "Baldwin County Law Library Fund" so as to redesignate it the "Baldwin County Law Library and Judicial Administration Fund"; to provide that the fund may be used, in addition to purchasing law books, periodicals and equipment for the library, for the purposes of furthering the effective administration of justice as provided herein; to designate eighty percent (80%) of said fund for the purposes of maintaining the county law library and twenty percent (20%) for the purposes of judicial administration; and to provide an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Hand, B. I. R., H. B. 1008.

Senator Hand requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1008. To alter, rearrange and extend the boundary lines and corporate limits of the city of Bay Minette in Baldwin County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Hand, B. I. R., H. B. 790.

Senator Hand requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 790. Relating to Baldwin County; amending the title and Section 2 of Act No. 79-623, S. 479, 1979 Regular Session (Acts 1979, p. 1106), which act relates to the disposition of funds from the leasing of oil, gas and mineral rights owned by the county on rights-of-way within the county road system, so as to provide further for the expenditure of such funds.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Hand, B. I. R., H. B. 791.

Senator Hand requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 791. Relating to Baldwin County; to provide that the cost of conducting certain elections shall be paid by the county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

REPORT FROM RULES

Senator Figures, B. I. R., H. B. 179, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 179. To provide a supplement to the salaries of circuit court bailiffs in the Thirteenth Judicial Circuit.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Hand, B. I. R., H. B. 850.

Senator Hand requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

REGULAR SESSION
29th Day

1739

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 850. Relating to Mobile County; to allow the Mobile County Commission, at its discretion, to grant an expense allowance to the District Court Clerk of the Thirteenth Judicial Circuit.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

—25

Nays: —0

THE BILL:

H. 114. To establish service territories for electric suppliers within the State; to provide the means of eliminating or reducing the potential for duplication of electric distribution facilities used for furnishing retail electric service; to mandate and implement the determination of which electric supplier shall furnish retail electric service to electric customers within various areas of the State including areas within municipal limits of municipalities as such municipal limits existed on April 26, 1984 and outside municipal limits based on the location of electric distribution facilities as of January 1, 1984; to provide that the primary electric supplier within each municipality in the State shall have the right, at its option, to purchase all distribution facilities of any secondary electric supplier used to supply retail electric service within the municipal limits as such municipal limits existed on April 26, 1984 and have the right to serve all premises within the municipal limits as such municipal limits existed on April 26, 1984, subject to certain conditions; to define the right and obligation of municipalities and municipally-owned electric suppliers to provide electric service in areas outside the municipal limits as such municipal limits existed on April 26, 1984 based on the location of electric distribution facilities as of January 1, 1984; to

provide electric suppliers designated to serve particular areas outside municipal limits of any municipality, an option to purchase facilities of other suppliers constructed in such area after January 1, 1984; to provide for resolution of disputes between electric suppliers regarding sale or purchase of electric facilities; to provide for the applicability of certain provisions of Title 37, Code of Alabama (1975); to provide special rules for elimination of duplication of facilities in the case of certain agreements between electric suppliers; to prohibit the providing of electric service in violation of this Act; to provide for judicial review and validation of the provisions of this Act by the courts and set out procedures governing such proceedings and appeals therefrom; to provide that certain provisions of the Act are not severable and that if any such provision is declared invalid under state law, the remaining provisions also shall be invalid, and to further provide that if the Act is declared invalid, any actions taken by any party in conformity with the provisions of the Act shall be lawful but that any electric service rendered pursuant to the provisions of the Act shall be terminated; and to repeal all laws or parts of laws in conflict herewith or if Act No. 84-206, adopted in the Regular Session of 1984, is upheld, to amend Act No. 84-206 so as to provide for and approve additional agreements between electric suppliers to eliminate duplication of facilities.

was taken up.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 421. Relating to Montgomery County; to amend Act No. 353 of the Legislature of Alabama Regular Session 1875 to provide that notice of all special sessions of the Montgomery County Commission must be given to a newspaper published in the City of Montgomery.

Also:

H. 797. Relating to Montgomery County; to amend Sections 1(11) and 7(2)(h) of Act No. 356, H. 1066, of the 1973 Regular Session (Acts 1973, p. 492), relating to the Montgomery County Retirement System, so as to provide further for the schedule for making retirement allowance payments; and to provide that regular interest rates shall be as determined from time to time by the county commission.

Also:

H. 960. Relating to Russell County and the fees for pistol permits; providing for the collection and the allocation of such fees; and repealing any conflicting laws.

Also:

H. 980. Relating to Tuscaloosa County; providing for the salaries of the members of the civil service board in said county and providing for the county personnel director to act as custodian of records.

Also:

H. 1005. Relating to Tuscaloosa County; amending Sections 1 and 2 of Act No. 936, H. 50, 1981 First Special Session (Acts 1981, p. 88), relating

to the compensation and expense allowance for the sheriff of Tuscaloosa County; so as to further provide for an additional expense allowance and expiration date therefor and the sheriff's compensation in the next term of office for sheriff.

Also:

H. 1053. Relating to Monroe County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act.

Also:

H. 1061. Relating to Marion County; providing for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit criminal court in Marion County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 309. Relating to Montgomery County Commissioners; providing an expense allowance which shall be supplemental to any and all other compensation or mileage and payable from county funds; and to provide that this act shall be null and void under certain circumstances.

Also:

H. 851. Relating to Lauderdale County; to provide for an advisory referendum election as to the question of whether the qualified electors of Lauderdale County favor the Lauderdale County Commission having a full-time commission chairman; and to provide for notice of the election.

Also:

H. 952. Relating to the City of Anniston in Calhoun County; to amend further Section 3 of Act No. 592, S. 456, Regular Session 1953 (Acts 1953, p. 838), providing for a civil service system for the city, so as to provide further for exemptions.

Also:

H. 962. Providing for a referendum election on the question of the method of selecting a license commissioner for Limestone County, Alabama,

and prescribing procedure for electing such commissioners if the qualified electors of the county voting in such election are in favor of electing such commissioner.

Also:

H. 973. Relating to Coosa County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Coosa County at a referendum election held for such purposes; and providing for a second referendum on its continuation.

Also:

H. 1000. Relating to Calhoun County; to provide for the levying of additional sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3, and 40-23-4, Code of Alabama 1975, as amended, providing for the collection, distribution and use of the proceeds of such tax; and providing for the enforcement of this act by the state department of revenue; prescribing penalties and fixing punishment for violation of this act; and providing for an effective date and referendum.

Also:

H. 1012. Relating to Lauderdale County; making the office of the chairman of the county commission full time; providing for an advisory referendum election as to the question of whether the qualified electors of Lauderdale County favor the Lauderdale County Commission having a full-time commission chairman and for notice of the referendum; providing for the election of such full-time chairman; providing for the qualifications, term of office, residency requirements, compensation, powers, duties and authority of such chairman; providing for the transfer of office from the incumbent chairman, who is the judge of probate, to the newly elected chairman and the relief of the incumbent for all responsibilities therefrom; and prescribing an effective date and the repeal of conflicting laws.

Also:

H. 1028. Relating to DeKalb County; authorizing the county governing body to levy a tax on tobacco products.

Also:

H. 1030. Relating to Calhoun County; to provide that at the May 14, 1985, general election the qualified electors of the county shall decide whether to keep its present three-member form of county commission or to adopt a different five-member form of county commission, beginning at the 1986 general election.

Also:

H. 311. A bill to supplement the salaries of the District Judges of the Tenth Judicial Circuit.

Also:

H. J. R. 72. REQUESTING THE ALABAMA CONGRESSIONAL DELEGATION TO ACCELERATE RESEARCH EFFORTS ON CONTROL OF FIRE ANTS; AND, TO URGE ALL STATES BORDERING

ALABAMA TO JOIN IN SEEKING THE ASSISTANCE OF THEIR CONGRESSIONAL DELEGATIONS TO CONTROL AND ERADICATE THE FIRE ANT PROBLEM.

Also:

H. J. R. 81. COMMENDING THE UNIVERSITY OF SOUTH ALABAMA AND ITS ATHLETIC PROGRAM.

Also:

H. J. R. 92. NAMING THE ALABAMA ARMY NATIONAL GUARD ARMORY AT MOULTON, ALABAMA, THE "HERMAN L. BREWINGTON ARMORY."

Also:

H. J. R. 94. NAMING A PORTION OF HIGHWAY 223 IN PIKE COUNTY, ALABAMA, THE "JEFF SORRELL HIGHWAY."

Also:

H. J. R. 108. NAMING A PORTION OF THE NEW FOUR-LANE ALABAMA HIGHWAY 24, THE "GORDON TERRY PARKWAY."

Also:

H. J. R. 160. COMMENDING ALFRED F. DELCHAMPS, JR., 1984 MOBILIAN OF THE YEAR.

Also:

H. J. R. 207. EXPRESSING THE LEGISLATURE'S SUPPORT FOR THE CONTINUED FUNDING, BY THE FEDERAL GOVERNMENT, OF THE JOB CORPS PROGRAM.

Also:

H. J. R. 397. TO CREATE AND ESTABLISH A JOINT INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT OF THE LEGISLATURE OF ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 114

The Senate proceeded to further consideration of the Bill, H. B. 114.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 128. Relating to Escambia County; abolishing the office of constable in such county.

Also:

H. 412. To amend Section 17-4-156, Code of Alabama 1975, as amended, relating to the meeting days of the boards of registrars, so as to increase Tallapoosa County's board of registrars meeting days.

Also:

H. 738. To alter and rearrange the boundary lines of the City of Atmore, Escambia County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

Also:

H. 768. Relating to Chilton County, providing further for the compensation of the members of the board of registrars.

Also:

H. 842. Relating to Tallapoosa County; providing an expense allowance for members of the county board of education; prescribing the manner of payment; and providing for an effective date.

Also:

H. 843. Relating to Tallapoosa County; to create a license-issuing division within the tax collector's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the tax collector's office; and to transfer certain duties now performed by the tax assessor and probate judge to said office.

Also:

H. 921. To amend Section 17-4-156 of the Code of Alabama 1975, relating to meeting days of the boards of registrars, so as to increase Tuscaloosa County's board of registrars meeting days and to specifically repeal Act No. 1428, S. 760, 1971 Regular Session (Acts 1971, p. 2454).

Also:

H. 996. Relating to Coffee County; providing salary increases for certain clerical employees in certain county offices in said county.

Also:

H. 1041. Relating to the Fifth Judicial Circuit and expense allowances for each circuit judge; providing a formula for payment of such expense allowances from the general funds of the counties which compose the said circuit; providing the method of altering such allowances and a referendum thereon; specifically repealing Act No. 597, S. 815, Regular Session 1969

(Acts 1969, p. 1084), relating to such allowances, and all other conflicting laws.

Also:

H. 1052. Relating to Bibb County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Bibb County at a referendum election held for such purposes.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 114

The Senate proceeded to further consideration of the Bill, H. B. 114.

And said Bill, H. B. 114, was read a third time at length and passed.

Yeas 22; Nays 7.

Yeas:

Senators:	Cooley	Drinkard	Mitchem
Amari	Corbett	Ellis	Parsons
Barron	Covington	Foshee	Smith (B)
Bedford	deGraffenried	Goodwin	Smith (J)
Bedsole	Dial	Horn	Strong
Bennett	Dixon	Langford	

—22

Nays:

Senators:	Bailey	Hand	Little
Aldridge	Denton	Holmes	Teague

—7

Senator Foshee moved that the Senate reconsider the vote by which the Bill, H. B. 114, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 345. EXTENDING THE COST AND EXPENSE ALLOWANCE FOR THE LEGISLATIVE FORESTRY STUDY COMMITTEE.

On motion of Senator Denton, the Resolution was then concurred in and adopted by the Senate.

BILLS RE-REFERRED

Senator Dial, Chairperson of the Standing Committee on Military Affairs, moved that the Bill, H. B. 276, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 276, re-referred to the Standing Committee on Rules.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, moved that the Bills, H. B.'s 34, 934, 102, 2, 685, 90, 304, and 983, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 34, 934, 102, 2, 685, 90, 304, and 983, re-referred to the Standing Committee on Rules.

RECESS

At 6:50 P.M., on motion of Senator Bedford, the Senate took a recess until 8:30 P.M.

REGULAR SESSION
29th Day

1747

NIGHT SESSION
TWENTY-NINTH LEGISLATIVE DAY
THURSDAY, MAY 9, 1985

The Senate reassembled in the Senate Chamber, President Pro Tempore Teague presiding.

ROLL CALL

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 168. To propose an amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate of Randolph County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 334. Relating to Blount County; to provide that all county commissioners shall serve full time; providing for compensation; and providing for effective date.

Also:

H. 496. Relating to Mobile County; to provide for the salary of the Tax Assessor of Mobile County.

Also:

H. 656. Relating to the salary of the Geneva County Superintendent of Education; establishing an index range for such salary parallel to the current salary for teachers holding the same academic degree, certification level and experience; providing for the Geneva County Board of Education to set such salary.

Also:

H. 680. Relating to Chambers County; authorizing the county commission to provide a certain additional expense allowance for the sheriff to be paid from the county general fund.

Also:

H. 696. Relating to Randolph County; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this act shall be retroactive to January 18, 1983.

Also:

H. 734. Relating to Blount County; authorizing branch banking.

Also:

H. 735. Relating to Blount County; altering the Blount County Commission district line between District Three and District Four, so as to place Oneonta in one beat or precinct.

Also:

H. 912. Relating to Chambers County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

Also:

H. 915. Relating to Blount County; to authorize the Board of Health of said County to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged and to provide for the approval of such fee schedule by the County Commission of Blount County, Alabama.

Also:

H. 1002. To amend Act No. 85-229, H. 526, 1985 Regular Session, which provides for a new form of government for any Class 2 municipality, so as to further provide for the composition of the districts for the new form of government.

Also:

H. 1004. To alter or rearrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Chambers County, Alabama; and to provide for a referendum election on the provisions of this act.

Also:

H. 1018. Relating to Cherokee County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales

tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing that the terms of this act shall not become effective unless approved by the electors of Cherokee County at a referendum election held for such purposes.

Also:

H. 1047. To alter or rearrange the boundary lines of the City of Ashland, Clay County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Clay County, Alabama.

Also:

H. 1067. Relating to Randolph County; providing for the county commission to reimburse the office of probate judge or license commissioner for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

Also:

H. 1069. To impose a filing fee of Two (\$2.00) Dollars on certain instruments, documents, and papers filed for record in the office of the Probate Judge of Cherokee County, the funds collected therefrom to be used exclusively for the funding of the mental health program in Cherokee County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

BUDGET ISOLATION RESOLUTION

Senator Teague, B. I. R., H. B. 1042.

Senator Teague requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Strong
Bedsole	Ellis	Little	Teague
Bishop	Figures		

Nays:

—25

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1042. Relating to the compensation of the Talladega County revenue commissioner; to provide that the county commission of Talladega County may set the salary of the county revenue commissioner from time to time within certain limitations; and providing an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 285. To provide further for group health insurance for certain retired employees receiving monthly benefits from the employees' retirement system of Alabama or from the teachers' retirement system; to amend section 36-29-10, Code of Alabama 1975, providing for the election by certain employees to continue coverage under the state employees' health insurance plan by the deduction of a portion of the premium for such coverage from their monthly benefit payments, so as to allow the state to assume a portion of the cost of such premium; and to provide appropriations to cover the state's portion of premiums under this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Smith (J), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 285, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 285

**A BILL
TO BE ENTITLED
AN ACT**

To provide further for group health insurance for certain retired employees receiving monthly benefits from the employees' retirement system of Alabama or from the teachers' retirement system; to amend section 36-29-10, Code of Alabama 1975, providing for the election by certain employees

to continue coverage under the state employees' health insurance plan by the deduction of a portion of the premium for such coverage from their monthly benefit payments, so as to allow the first year funding from the State Employees Health Insurance Plan and the state to assume all subsequent funding; to amend §16-25A-1, Code of Alabama 1975, to further define retired employee under the public education employees' health insurance plan.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-29-10, Code of Alabama 1975, is hereby amended to read as follows:

“§36-29-10.

“Employees covered under this plan who retire from active service and begin receiving monthly benefits from the employees' retirement system of Alabama or from the teachers' retirement system of Alabama may elect to continue coverage under the group insurance plan by consenting to have deducted from their monthly benefit payment the difference in the total cost of their insurance coverage and the portion authorized to be expended by the State Employees Health Insurance Plan for coverage of such retired employees. The premiums so deducted shall be transmitted monthly to the state insurance board. Notwithstanding the foregoing provisions no person otherwise eligible for coverage under this plan shall be denied participation therein, for the reason that such person is precluded from having the cost of his coverage deducted from a monthly benefit payment. The board shall adopt such rules and regulations as they deem appropriate and necessary for carrying out the provisions of this subsection.”

Section 2. (a) There is hereby provided from the funds of the State Employees Health Insurance Plan \$1,592,605.00 (estimated) for the fiscal year beginning October 1, 1985. The state employees' insurance board is hereby authorized to expend \$22.35 per eligible retired employee towards coverage for said retired employee for the fiscal year beginning October 1, 1985.

(b) It is the intent of the legislature that subsequent appropriations to the state employees' insurance board pursuant to this act shall be included in the general fund budget beginning with the fiscal year 1986-87 and each year thereafter and shall be increased to fully fund the employer's portion of the benefits provided for in section 36-29-10, Code of Alabama 1975, as amended, provided however for purposes of determining such appropriations to fully fund benefits, each retired employee shall be presumed eligible for medicare coverage and any allocation or appropriation on account of individual retired employees shall be limited accordingly.

Section 3. §16-25A-1, Code of Alabama, 1975, is hereby amended to read as follows:

“16-25A-1. When used in this chapter, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise:

(1) EMPLOYEE. Any person who is employed full-time in any public institution of education within the state of Alabama which provides instruction at any combination of grades K through 14 exclusively, under the auspices of the state board of education; provided, any person employed part-time by any public institution of education within the state of Alabama which provides instruction at any combination of grades K through 14,

exclusively, under the auspices of the state board of education, shall be included in the definition of employee if such person shall agree to have deducted from his compensation a pro rata portion of the premium cost of a full-time employee, based on the percentage of time such person is employed, in accordance with such rules and regulations as shall be adopted by the board;

(2) **RETIRED EMPLOYEE.** Any person receiving a monthly benefit from the teachers retirement system, who at the time of his retirement was employed by a public institution of education within the state of Alabama which provided instruction at any combination of Grades K-14, exclusively, under the auspices of the state board of education. All retired employees of Any person receiving a monthly benefit from the teachers' retirement system who at the time of his retirement was employed by a state supported post-secondary institutions institution shall be eligible to participate under provisions of this chapter and any person receiving a monthly benefit from the employees' retirement system whose retirement under the employees' retirement system was from a local board of education or a state supported post secondary institution who participated pursuant to §36-27-6, Code of Alabama 1975.

(3) **BOARD.** The public education employees' health insurance board."

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 22; Nays 0.

Yeas:

Senators:	Covington	Holmes	Parsons
Amari	deGraffenried	Horn	Smith (B)
Barron	Denton	Langford	Smith (J)
Bedford	Dial	Little	Strong
Bennett	Dixon	Menton	Teague
Corbett	Drinkard	Mitchem	

—22

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President Pro Tempore:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 35. To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician licensed to practice medicine, chiropractor, orthodontist, and podiatrist, as defined in this act, in the performance of his professional services from any city, county and state sales tax.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Covington, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 35, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 35

A BILL
TO BE ENTITLED
AN ACT

To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed and prescribed by any physician licensed to practice medicine, chiropractor, orthodontist, and podiatrist, as defined in this act, in the performance of his professional services from any city, county and state sales tax.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed and prescribed by any physician licensed to practice medicine, chiropractor, orthodontist, and podiatrist in the performance of his professional services shall be exempt from any city, county and state sales tax. Their exemption shall apply only to vitamins, minerals, and dietary supplements dispensed by prescription by the professionals list in Section 1.

Section 2. The exemption provided for in Section 1 shall be in addition to any and all exceptions from sales tax provided for in Article 1 of Title 40, Revenue and Taxation, Code of Alabama, 1975, as last amended.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 19; Nays 0.

Yeas:

Senators:	Bennett	Holmes	Parsons	
Aldridge	Corbett	Horn	Smith (B)	
Amari	Covington	Langford	Smith (J)	
Bailey	deGraffenried	Little	Strong	
Barron	Denton	Mitchem	Teague	—19

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President Pro Tempore:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 155. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Chiropractic Examiners as provided in

Sections 34-24-140 through 34-24-172 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-24-140, 34-24-161 and 34-24-162, so as to change the composition of the board; authorize the board to employ certain investigators, attorneys or agents; to require the board to publish, at cost, a directory of chiropractors; to require issuances of licenses; to provide for reciprocal licensing standards; to provide for lost or changed-name licenses; and to provide for professional signs.

and Conference Report being in words and figures as follows:

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL 155**

We the Committee on Conference appointed to reconcile the differences between the two Houses concerning House Bill 155, have met, considered the matter, and agreed to the following report.

We recommend that the Conference Committee Substitute be adopted.

BETH MARIETTA,

JOE R. CAROTHERS, JR.,

RONALD G. JOHNSON,
Conferees on the Part of the House.

JIM SMITH,

CHIP BAILEY,

FOY COVINGTON, JR.,
Conferees on the Part of the Senate.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 155

**A BILL
TO BE ENTITLED
AN ACT**

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Chiropractic Examiners as provided in Sections 34-24-140 through 34-24-172 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-24-140, 34-24-141, 34-24-161 and 34-24-162, so as to increase the membership and its composition; to authorize the board to employ certain investigators, attorneys or agents; to require the board to publish, at cost, a directory of chiropractors; to require issuances of licenses; to provide for reciprocal licensing standards; to provide for lost or changed-name licenses; and to provide for professional signs.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It is declared that pursuant to the Alabama Sunset Law, Sections 41-20-1 through 41-20-16, Code of Alabama 1975, as amended, the Sunset Committee entered upon its duties and recommends the continuance of the Board of Chiropractic Examiners created and functioning pursuant to Sections 34-24-140 through 34-24-172, Code of Alabama 1975, with the additional recommendations for statutory changes of the board as set out in Section 3 hereof.

Section 2. The existence and functioning of the Board of Chiropractic Examiners, created pursuant to Sections 34-24-140 through 34-24-172 of the

REGULAR SESSION
29th Day

1755

Code of Alabama 1975, are hereby continued, and such Code sections are hereby expressly continued.

Section 3. Sections 34-24-140, 34-24-141, 34-24-161, and 34-24-162 of the Code of Alabama 1975, are hereby amended to read as follows:

“§34-24-140.

“(a) There is hereby created and established a state board of chiropractic examiners. The board shall be composed of ~~five~~ seven members, each of whom shall be: a resident of Alabama who has resided in this state for at least two years; a graduate of a chartered chiropractic school or college, which required actual attendance in the school as a prerequisite to graduation therefrom; currently engaged in the practice of chiropractic and have been engaged in such practice in this state for a period of at least two years and of good moral character. Not more than two three members of the board shall be graduates of the same chiropractic school or college. The present members of the Board of Chiropractic Examiners shall serve out their appointed terms. As soon as practicable after this article becomes effective, the Alabama State Chiropractic Association, Incorporated, shall nominate 15 persons possessing the above enumerated qualifications and shall submit a list of the persons so nominated to the governor. From this list of nominees the governor shall appoint five members to the state board of chiropractic examiners; two members for a term of one year, each beginning with the date of appointment; two members for a term of two years each, beginning with the date of appointment; and one member for a term of three years, beginning with the date of appointment.

“By June 15, 1985, or as soon as practical, the Board of Chiropractic Examiners shall call a caucus in Congressional Districts 1, 2, 3 and 7. These districts will nominate members to be submitted to the Governor, who will name one member from each of two congressional districts, immediately, and name one member from each of the two remaining congressional districts as soon as vacancies occur on the Board of Chiropractic Examiners.

“The first two appointees will be appointed for a term ending January 1, 1987. Following this, the terms of appointment will be staggered for a period of three years.

“The Alabama State Board of Chiropractic Examiners shall call a caucus annually in June of resident licensed chiropractors in each congressional district that will have an upcoming vacancy occurring on the board, and shall notify the licensed chiropractors of each congressional district at least thirty days prior to the caucus, announcing the time and place of the caucus. All nominees' names will be submitted to the Governor and he will select from this list.

“Whenever a vacancy occurs on the board, whether by expiration of the term, death or resignation of a member or other cause, the Alabama State Chiropractic Association, Incorporated, shall nominate to the governor three persons for membership on the board, and from this list of nominees the governor shall appoint a member to fill the vacancy on the board. The vacancy shall be filled in the same manner as the original appointments are made. Before appointing any member of the board, the governor shall satisfy himself that the appointee is of high character and standing and possesses the other qualifications prescribed in this section.

“(b) The Board may employ investigators, inspectors, attorneys and any other agents and employees and assistants as may from time to time be

necessary, and may use any other means necessary to bring about and maintain a rigid administration and enforcement of state and federal law.

“(c) The board shall publish annually a directory listing all persons licensed to practice chiropractic in Alabama. Copies of the directory shall be made available from the executive secretary at cost, which cost shall be estimated and set from time to time by resolution of the board.”

“§34-24-141.

“Upon the expiration of the respective terms of the five seven members appointed for the terms designated in section 34-24-140, members of the board shall be appointed for a term of three years beginning with date of appointment, it being the intent and purpose of this article that the members of the board shall serve for staggered terms of three years each. The governor shall have the power to remove from office any member of the board for the neglect of any duty required by this article, for incompetency or for unprofessional conduct, or upon sufficient proof to the governor of the inability, misconduct or such conduct as in the discretion of the governor is unbecoming a member of the board. Vacancies on the board by reason of death, resignation or otherwise shall be filled by appointment by the governor for the unexpired term in the manner prescribed in section 34-24-140. Before taking office, the members of the board shall take and file with the secretary of state the constitutional oath of office required by section 279 of the Constitution of Alabama.”

“§34-24-161.

“(a) All examinations shall be in writing and upon the following subjects: symptomatology, physical diagnosis, neurology, hygiene and sanitation, chiropractic orthopedy, nerve tracing and adjusting as taught by standard chiropractic schools or colleges and spinography. A certificate of qualification shall be issued to the state licensing board for the healing arts for each applicant examined who shall correctly answer 75 percent of all questions asked; if any applicant shall fail to answer correctly 75 percent of the questions on any branch of such examination, he or she shall not be entitled to a certificate of qualification.

“(b) Upon completion of all requirements for licensure an applicant shall be issued a license. Each license shall be dated and numbered in the order of issuance and shall be signed by the executive secretary and the president of the board.

“(c) Replacement licenses: (1) Any licensee whose license is lost or destroyed may be issued a replacement license upon making application to the board. Such application must be accompanied by an affidavit setting out the facts concerning the loss or destruction.

“(2) Name change. An licensee whose name is changed by marriage or court order may surrender his/her license and apply for a replacement license.

“(3) The fee for any replacement license shall be not more than \$50.00, the exact amount to be established by the board.

“(d) Each licensed chiropractor who is actively engaged in practice or who holds himself out as a chiropractor shall place or cause to be placed in a conspicuous place at the entrance of his office or place in which he practices a sign in intelligible lettering not less than one inch in height containing the name of the chiropractor immediately followed by the recognized abbreviation indicating the professional degree held by the chiropractor, and

containing immediately below the chiropractor's name, in equal size lettering, the word 'CHIROPRACTOR.' The intent of this requirement is that the licensee's office be clearly identified by name and profession."

"§34-24-162.

"Persons licensed to practice chiropractic under the laws of any other state having requirements equal to those prescribed by this article may, in the discretion of the board, be issued a certificate of qualification to practice in this state without examination, upon the payment of a fee of \$50.00.

"With respect to applicants for licensure by reciprocity in Alabama:

"(a) Any applicant who has a currently valid license in another state may be partially or fully exempted from the Alabama board examination based on his/her examination performance and licensure in the other state provided the applicant has taken written examinations in four or more of the seven subjects tested on the Alabama board examination and has made a raw score of 75% or more in at least four of the subjects tested on the Alabama board examination.

"(b) Any applicant who is licensed in another state and who has passed written examinations in that state on all seven of the subjects tested on the Alabama board examination with raw score of 75% or better shall be entirely exempt from the Alabama board examination.

"(c) Any applicant who is currently licensed in another state and who has passed written examinations in that state on at least four but fewer than seven of the subjects tested on the Alabama board examination with a raw score of 75% or better shall be exempt from the Alabama board examination in those subjects previously passed.

"(d) Any applicant who meets the requirements of paragraph (1) (c) above and who is also currently licensed to practice chiropractic in some state other than the state which qualified the applicant for partial exemption under paragraph (1) (c) shall be exempt from the Alabama board examination in the one or more remaining subjects tested on the Alabama examination which were previously passed or a written examination with a raw score of 75% or better in the second state.

"(e) Applicants applying for full or partial reciprocity must meet all requirements for licensure other than the Alabama board examination as specified in this rule.

"(f) The fee for full or partial exemption by reciprocity shall be \$50.00. This fee is in addition to the application fee specified by the board under the provisions of Rule 190-X-2-.02.

"With respect to licensure in another state by reciprocity:

"Any licensee who seeks to be licensed in another state by reciprocity on the basis of his Alabama license may request certification upon the payment of a fee not to exceed \$50.00, the exact amount to be established by resolution of the board."

Section 4. The legislature concurs in the recommendations of the Sunset Committee as provided in Sections 1, 2 and 3 hereof.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Senator Smith (J), the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 155, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 22; Nays 0.

Yeas:

Senators:	Corbett	Hand	Parsons	
Aldridge	Covington	Holmes	Smith (B)	
Amari	deGraffenried	Horn	Smith (J)	
Bailey	Denton	Langford	Strong	
Bedford	Dial	Little	Teague	
Bedsole	Drinkard	Mitchem		—22

Nays:

—0

BILL RE-REFERRED

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, moved that the Bill, H. B. 763, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 763, re-referred to the Standing Committee on Rules.

BILLS RE-REFERRED

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, moved that the Bills, H. B.'s 196, 1037, 613, and 743, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 196, 1037, 613, and 743, re-referred to the Standing Committee on Rules.

Senator Teague requested and received permission to suspend the Rules in order that the Bill, H. B. 722, be removed from the Standing Committee on Health and Welfare, and re-referred to another committee, which motion was adopted.

And the President and Presiding officer of the Senate ordered said Bill, H. B. 722, re-referred to the Standing Committee on Rules.

BILLS RE-REFERRED

Senator Parsons, Chairperson of the Standing Committee on Education, moved that the Bills, H. B.'s 64, 521, 629 and 854, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 64, 521, 629, and 854, re-referred to the Standing Committee on Rules.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, moved that the Bills, H. B.'s 59, 60, and 183, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 59, 60, and 183, re-referred to the Standing Committee on Rules.

Senator Holmes, Chairperson of the Standing Committee on Small Business, moved that the Bill, H. B. 730, be re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 730, re-referred to the Standing Committee on Rules.

Senator Smith (B) requested and received permission to suspend the Rules in order that the Bills, be removed from the Standing Committee on Local Legislation No. 1, H. B.'s 1014 and 1059, and re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 1014 and 1059, re-referred to the Standing Committee on Rules.

Senator Teague requested and received permission to suspend the Rules in order that the Bills, H. B.'s 618, 483, 372, 583, 532, and 1045, be removed from the Standing Committee on Commerce, Transportation, and Utilities, and re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 618, 483, 372, 583, 532, and 1045, re-referred to the Standing Committee on Rules.

Senator Drinkard requested and received permission to suspend the Rules in order that the Bills, H. B.'s 1065 and 3, be removed from the Standing Committee on Local Legislation No. 1, and re-referred to another committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 1065 and 3, re-referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Pratt:

H. 2. To prohibit persons without a proper decal from parking a motor vehicle in certain handicapped parking places and to provide fines for violating

the provisions of this act; and to provide that certain law enforcement officers may go onto private property to enforce the provisions of this act.

By Reps. Richardson and Hall:

H. 34. To amend Sections 32-12-22, 32-6-1, 32-6-3, 32-6-4, and 32-6-8 of the Code of Alabama 1975, relating to motorcycles and motor-driven cycles, so as to provide further for the licensing therefor, and relating to motor vehicles and obtaining a driver's license to operate a motor-driven cycle, so as to provide that the director of public safety or an examining officer shall observe the applicant operate a motor-driven cycle in a competent manner prior to the granting of an operator's license and to increase the fees and further provide for the requirements of licensing motor-driven cycles and motorcycles.

By Reps. Grayson, Black, Clark (W), McDowell, and Seibels:

H. 78. To provide a "State Black Archives, Research Center and Museum" at Alabama Agricultural and Mechanical University; creating a repository of source materials on Afro-American history and culture and providing authority to receive available funds.

By Reps. Hall and Hettinger:

H. 90. To amend section 40-18-100 and 40-18-102 of the Code of Alabama 1975, which provide for the offset of state tax refunds to satisfy debts owed the Alabama department of pensions and security, so as to provide for the offset of refunds to satisfy child and/or spousal support debts owed any individual being served by the department of pensions and security pursuant to the requirements of Title IV-D of the Social Security Act.

By Rep. Starr:

H. 102. To amend Section 11-45-8, Code of Alabama 1975, to include other like codes with those codes listed which may be adopted by ordinance and by reference under the authority and procedures of said section.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Coleman, Newman, Junkins, Burke, and Lindsey (With Amendment):

H. 204. To amend Section 36-7-40 of the Code of Alabama 1975 so as to further provide for the reimbursement of state employees for moving expenses.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Coleman, Newman, Junkins, White (L), Burke, Hall, and Lindsey:

H. 199. To provide for an assignment to the Department of Pensions and Security of the right to any support owed to or for a child in the custody of the department and receiving foster care or receiving foster care maintenance payments; to authorize the department to bring actions to establish or enforce a support obligation; to provide that a support obligation

REGULAR SESSION
29th Day

1761

may be ordered at the time custody is granted to the department; and to provide that the department may collect and distribute support.

By Rep. Fuller:

H. 247. To amend Section 12-13-33, Code of Alabama 1975, so as to provide for an increase in the amount of the bond of probate judges.

By Reps. Kennedy, Clark (W), and Buskey (James):

H. 276. To amend Sections 3 and 4 of Act No. 84-288, S. 154, 1984 Regular Session (Acts 1984, p. 498), appearing as Sections 31-10-3 and 31-10-4 of the Code of Alabama 1975, relating to the Alabama National Guard Educational Assistance Act, so as to provide further for benefits and eligibility requirements.

By Rep. Johnson (Roy):

H. 304. To amend Section 6-8-64, Code of Alabama 1975, which relates to the cost of publishing legal advertising to allow weekly newspapers to charge their current published commercial classified advertising rate for legal notice advertising.

By Reps. Penry and McMillan:

H. 430. To amend section 11-41-8, Code of Alabama 1975, so as to validate, in certain cases, municipal corporations attempted to be organized under the laws of this state which might be invalid because of any irregularity in the procedure for incorporation.

By Reps. Hooper, McKee, and Starr:

H. 456. To amend Section 17-5-12 of the Code of Alabama 1975, relating to places of voting so as to provide that the county commission may designate a place of holding elections other than the courthouse in the precinct in which the courthouse is situated.

By Reps. Junkins, Coleman, and Newman:

H. 489. To amend Sections 36-30-1 and 36-30-20, Code of Alabama 1975, which provide for compensation for death or disability of certain law enforcement personnel, and Section 36-21-8, Code of Alabama 1975, which provides for the retention of badges and pistols upon retirement by certain law enforcement personnel, so as to include officers of the Department of Industrial Relations within these provisions.

By Rep. White (L):

H. 514. To amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975, which provides for ad valorem tax exemptions, so as to provide further for the homestead provision for persons 65 years old or older.

By Rep. Campbell:

H. 531. To further amend §40-23-1, Code of Alabama 1975, as amended, which section contains various definitions applicable to the Alabama sales tax, so as to clarify, and remove ambiguity from, the definition of "sale or sales," and declaring that such clarification does not constitute a change in, but is declaratory of, the pre-existing law.

By Rep. Richardson:

H. 569. To amend Section 41-9-708, Code of Alabama 1975, relating to the Alabama Indian Affairs Commission, so as to give the Chattooga Cherokees of Northeast Alabama representation on said commission.

By Reps. Rice, Sasser, White (L), Laird, Lauderdale, Dutton, Carter, and Smith:

H. 577. To establish and create a licensing board to be known as the Alabama board of electrical contractors for the purpose of testing and licensing electrical contractors; to provide for the appointment of such members and of members of an appeal board; to authorize such board to carry out the purpose of this act; to appropriate funds for such board and to prescribe penalty for violation of this act.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Turner (With Substitute):

H. 674. To provide authority for the governing body of any Class 2 municipality covered by the Employees' Retirement System of Alabama, with the consent of the Board of the Employees' Retirement System of Alabama, to provide credit for the prior service of new employees to the extent of their prior service with public employers eligible for coverage under the Employees' Retirement System of Alabama, to provide for special membership service, to define prior service, to provide procedures and to prohibit discrimination in the application of the provisions of this Act.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. White (L), Ford, Coleman, and Hall:

H. 685. To provide that a court of this State may require an obligor to post bond, give security, or give some other guarantee to secure the payment of overdue support.

By Rep. Johnson (Roy):

H. 708. To amend Section 5-19-1, Code of Alabama 1975, which relates to the regulation of extensions of credit, so as to exclude from the definition of "finance charge" those charges excluded from the "finance charge" under the Federal Truth-in-Lending Act.

By Rep. Harvey:

H. 764. To amend Sections 11-96-1 and 11-96-3, Code of Alabama 1975, which relate to Community Action Agencies, so as to provide further for the appropriations to said agencies and to provide further for the definition of same.

By Reps. Penry, McMillan, Harper, Kvalheim, Kennedy, Buskey (James), Zoghby, and Box:

H. 771. To regulate transient merchants, provide for licensing of said merchants and provide for penalties for violations.

By Reps. Sasser and Flowers (With Notice and Proof):

H. 1075. Relating to Dale County; providing further for voter reidentification in such county; providing for additional periods of such registration retroactively to March 1, 1985; providing for a termination date.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Beasley (With Notice and Proof) (With Amendment):

H. 707. To alter or rearrange the boundary lines of the Town of Webb, Houston County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Houston County, Alabama.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Carothers and Beasley (With Notice and Proof):

H. 1011. Relating to Houston County; levying an additional ad valorem tax in the county to be deposited in the county general fund to be expended for industrial development and rural fire protection upon referendum approval of such levy by the qualified electors of the county.

By Reps. Blakeney, McMillan, Hooper, and Penry:

H. 763. To create the Alabama Turkey Hunters Hall of Fame Board and Museum; to prescribe its purposes, membership and location; to provide for the appointment of its members and for the holding of meetings.

By Reps. Sasser and Flowers (With Notice and Proof):

H. 1074. Relating to Dale County; to provide for an increase in the salary of the tax assessor and tax collector; and to provide for an effective date of October 1, 1985.

By Reps. Crow, Clark (J), Blake, Adams, and Junkins:

H. 860. To amend Section 6-8-40 of the Code of Alabama 1975, relating to subscribing, taking and filing of newspapers by judges of probate, so as to provide further for such filing.

By Reps. Bugg, McNair, Grayson, Junkins, Hooper, Zoghby, Hall, Burke, Hettinger, Lindsey, Bachus, Gray, Venable, Flowers, Perdue, Albright, Dutton, Laird, Smith, Mikell, Davis, Escott, Cosby, Rogers, Boles, Pratt, Melton, White (L), Brooks, Goodwin, Clark (D), Seibels, Payne, Carter, and Kennedy:

H. 820. To amend Section 13A-14-2, Code of Alabama 1975, which relates to the Sunshine Law, so as to provide for notice of meetings and to increase the penalties for violations.

By Rep. Martin:

H. 927. To amend Section 26-16-31, Code of Alabama 1975, which provides for a state income tax refund designation program for the Children's

Trust Fund, so as to increase the designations to \$5.00 for an individual tax return and \$10.00 for a joint tax return, effective for the tax year 1985.

By Reps. Davis, Rogers, Escott, Perdue, Beers, McNair, Gray, Boles, Newton, Spratt, and White (G):

H. 866. To amend Section 12-19-92, Code of Alabama 1975, which provides for fees of constables, so as to provide further for the fees of the constables in Jefferson County.

By Rep. Escott:

H. 1032. Proposing a constitutional amendment to authorize the governing body of the City of Birmingham in Jefferson County to create and define business development districts, and to levy ad valorem taxes and/or development fees thereon only after public hearings to which each of the property owners and/or licensed business entities within said districts shall have received prior notice by certified mail and further providing that no taxes or fees shall be levied unless first approved by two-thirds (66- $\frac{2}{3}$ %) of the property owners and/or licensed business entities within said districts.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Holley:

H. 948. To provide for a supplemental appropriation to the State Health Planning Agency from the State General Fund for the period ending September 30, 1985, in the amount of \$202,000.

By Reps. Tanner and Onderdonk:

H. 934. To amend Section 12-12-70, Code of Alabama 1975, which section relates to appeals from district courts to provide for the dismissal of such appeals in certain instances; to provide for an appearance bond on such appeals and procedures for its forfeiture; to provide for the collection of fines and costs, and to provide for the place of commitment where the sentence of the circuit court includes a term of imprisonment.

By Rep. Grouby:

H. 951. To regulate further the office of probate judge in this state; to provide for the compensation of the probate judges of the several counties to be by an annual salary; to provide for such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county; to make provision for the personnel, quarters, supplies and equipment for the office of the probate judge; to provide for those employees employed prior to the Ethics Act, and to provide that certain probate judges who are compensated on the fee system under certain conditions may elect to continue on the fee system so long as they hold the office.

By Rep. Hooper:

H. 978. To repeal Act No. 456 of the Legislature of Alabama, Regular Session 1973; to establish investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, and provide for the hiring, salaries, expenses, authority and duties of such officers; and to repeal all laws and parts of laws in conflict with this Act.

By Rep. Holmes:

H. 983. To amend Act No. 705, Regular Session, Alabama Legislature, 1978, so as to correct two misspelled words and so as to provide that the Official Grand Jury Reporter for the Fifteenth Judicial Circuit be entitled to receive transcript fees and other pecuniary benefits afforded official court reporters in the Fifteenth Judicial Circuit.

By Reps. Junkins, Bugg, Ford, and Coleman:

H. 1044. Relating to the adoption by ordinance of a mayor-council form of government in Class 4 municipalities; providing for the election laws to be applied; providing for the council not to interfere in appointments nor give orders to subordinates; providing for the powers of the city; providing for the method whereby franchises may be granted; providing for the method of establishing and reapportioning of council districts; providing for preservation of other officers, their powers, duties, rights, privileges and emoluments; providing for the continuation and preservation of civil service status of employees; providing for the preservation and transfer of all property owned by the municipality; providing for the continuation and preservation of all contracts in force, all legal proceedings and all pension funds; providing for the continuation of all subordinate agencies of the municipality and all ordinances and resolutions; various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and providing for an effective date of this Act, the repeal of all conflicting laws, and the severability of the provisions of this Act.

By Reps. White (L), Beasley, Butler, Mikell, and Johnson (RG):

H. 196. To amend the Code of Alabama 1975, Section 34-23-94, relating to regulating appeals from decisions of the Alabama State Board of Pharmacy, so as to delete the requirement for de novo appeals and to substitute therefor appeals on the record in accordance with the Alabama Administrative Procedure Act.

By Reps. Bachus, White (G), and Beers:

H. 613. To amend section 12-15-90 of the code of Alabama 1975, relating to juvenile proceedings so as to provide for the discharge from custody of a minor or child involuntarily committed to the custody of the department of mental health and mental retardation who, in the judgment of the department, has gained maximum benefit from institutional treatment or is no longer in need of the services of the department or has gained maximum benefit from the programs of the department.

By Rep. Perdue:

H. 1037. To provide for the authorization by the county governing body and the creation in any county or counties in Alabama of a public corporation for the purposes of flood control in circumstances affecting urban areas of any one or more counties in Alabama to be known as the (name of county) Flood Control Authority with its principal office to be located in the county seat of such county; to provide for a board of directors, prescribe the method of their appointment, and the powers and duties of such authorities, including the employment of personnel, attorneys, engineers, consultants and other staff; to provide that debts of such authority shall not be debts of the state, county or any municipality therein; to authorize state, county and municipal appropriations to such authorities; and to authorize such authorities to receive federal, state and local government grants.

By Reps. McMillan and Penry:

H. 743. To provide further for the regulation, control, abatement and prevention of environmental problems in the state, including problems resulting from air and water pollution, solid and hazardous waste management activities, coastal area activities, the supply of drinking water, water well drilling and the operation of water and wastewater treatment plants. Specifically, this Act amends Section 22-22A-5, Code of Alabama 1975, as amended, to authorize the Alabama Department of Environmental Management to issue administrative orders or commence civil actions for the assessment of civil penalties for violation of laws which it administers and to require that such penalties be deposited to the credit of the general fund; to provide for the same liability of responsible corporate officers in civil actions under this Act as is provided in criminal actions under the Federal Food, Drug and Cosmetic Act as construed in United States v. Dotterweich, 320 U.S. 277 (1943), and United States v. Park, 421 U.S. 658 (1975); to authorize the Alabama Department of Environmental Management, Attorney General or District Attorneys to commence civil actions to enjoin violations of laws administered by the Alabama Department of Environmental Management; to clarify the authority of the Alabama Department of Environmental Management to enforce the provisions of laws which it administers and to issue licenses. This Act also amends Section 22-22A-7, Code of Alabama 1975, as amended, to provide that administrative action which was or could have been reviewed by the Environmental Management Commission shall not be subject to judicial review in civil or criminal enforcement proceedings. This Act also amends Section 22-22A-11, Code of Alabama 1975 as amended, relating to the Alabama Department of Environmental Management Fund to allow for deposit of fines and penalties into the general fund. This Act also amends Sections 9-7-22, 22-22-9, 22-28-22 and 22-23-52, Code of Alabama 1975, as amended, to repeal provisions relating to civil actions for the recovery of penalties and injunctive relief. This Act also amends Section 22-22-9, Code of Alabama 1975, as amended, to clarify that enforcement provisions are applicable to permits and orders issued by the Alabama Department of Environmental Management; to clarify that certain provisions apply to pollutants as well as sewage, industrial wastes or other wastes; and to clarify existing subpoena powers. This Act also amends Section 22-28-22, Code of Alabama 1975, as amended, to clarify existing subpoena powers. This Act also amends Section 22-28-23, Code of Alabama 1975, as amended, to provide that local air pollution programs may adopt provisions for administrative assessment of civil penalties and issue permits in lieu of permits from the Department. This Act also amends Section 22-30-19, Code of Alabama 1975, as amended, to repeal provisions relating to administrative assessment of penalties; to permit representatives of the Alabama Department of Environmental Management to enter premises, including transportation facilities, for purposes related to the administration of the Hazardous Wastes Management Act of 1978, including inspection and copying of records required to be maintained; to make criminal a culpable omission in an application, label, manifest, record, report, permit or document and the destruction, alteration, concealment or failure to maintain or file certain documents; and to increase the fines for criminal offenses.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Biddle (With Substitute) (With Amendment):

H. 722. To amend §22-21-263 (a) (3) of the Code of Alabama of 1975 to impose a two (2) year moratorium on the issuance of a certificate of need for the licensing of any new health care facility beds and provide for an exception when an emergency is found to exist which endangers the health and safety of the public.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Nicholson and Brakefield:

H. 854. To create and establish the Alabama Mining Academy to be located at Walker State Technical College in Walker County, Alabama, and to provide assistance to the State of Alabama mining industry through education, training and research.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Reps. Harvey and Browder (With Substitute):

H. 60. To provide protection against forest fires within the state; to assess a part of the cost thereof against forest lands in the state, and to prescribe the procedure for levying and collecting such assessments; and to provide that it shall become effective upon ratification of constitutional amendment authorizing its provisions.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Bugg (With Notice and Proof):

H. 3. Relating to Etowah County; to provide further for the election of the members of the county board of education; and to provide a referendum and to make effective upon the approval of certain qualified electors at the next county or statewide election.

By Reps. Ford, Junkins, and Bugg (With Notice and Proof):

H. 1065. Relating to the Sixteenth Judicial Circuit; providing for supplemental allowance, payable from the county general fund, for the circuit clerk of such circuit; and repealing conflicting laws, relating to the compensation of the circuit clerk of the said judicial circuit; providing that such allowance shall be calculated on a certain percentage of the state compensation for such official; and providing for an effective date.

By Rep. Buskey (James):

H. 1045. To amend Sections 32-3-41 and 37-4-23, Code of Alabama 1975 relating to payment of inspection and supervision fees paid by utilities and transportation companies so as to provide that such utilities and transportation companies with gross intrastate receipts in excess of \$60,000,000.00

per calendar quarter be required to pay inspection and supervision fees based upon such quarter rather than the preceding fiscal year.

By Rep. Bryant:

H. 618. To permit agricultural aircraft to take off and land on lightly traveled local highways with the permission of the county commission of said county provided that the average daily traffic count on the road is less than 200.

By Reps. Faulk and Martin:

H. 583. To amend section 11-50-1.1, Code of Alabama 1975, which prohibits municipalities from acquiring or duplicating services of certain waterworks systems, so as to also prohibit public corporations or entities created or operating pursuant to sections 11-50-230 through 11-50-241, Code of Alabama 1975, specifically, and chapter 50 of Title 11, Code of Alabama 1975, generally, from so acquiring or duplicating such services.

By Reps. Kvalheim, Gaston, Harper, Marietta, McMillan, and Kennedy:

H. 532. To prohibit public and private motor vehicle carriers from transporting hazardous or flammable materials through tunnels; to provide for jurisdiction of certain law enforcement officers; and to provide penalties for violations.

By Rep. Starkey:

H. 483. To amend Section 32-9-1 and 32-9-20, Code of Alabama 1975, relating to motor vehicle sizes and weights so as to further regulate the sizes and weights of motor vehicles on highways in Alabama; to provide for compliance with federal laws regulating same; and to further regulate exceptions and exemptions.

By Reps. Blakeney, Johnson (Roy), Coleman, Blake, Hall, Carter, Warren, Hooper, and Mikell:

H. 372. To provide that certain war veterans shall be entitled to a distinctive auto license plate; to provide for the distribution of said tag; and to provide that said tag shall be issued free of all fees and taxes.

By Reps. Butler, Hettinger, and Grayson (With Notice and Proof):

H. 1059. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

By Reps. Albright, Grayson, and Hettinger:

H. 1014. To propose an amendment to the Constitution of Alabama of 1901 to repeal certain exemptions authorized by law on that portion of any local ad valorem taxes levied in Madison County that upon collection is earmarked for public school purposes.

The above Bill was read a second time at length as required by the Constitution.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

REGULAR SESSION
29th Day

1769

By Reps. Harvey and Browder (With Substitute):

H. 59. To propose an amendment to the Constitution of Alabama 1901, to provide for the promotion of forest fire protection on forest lands within this state; to provide for the levying, collecting and distribution of assessments for costs; to provide for certain local laws heretofore enacted; to provide for similar local forest fire protection and assessment programs; upon ratification by the voters of this amendment; and to authorize the legislature to provide funds for the administration of such forest fire protection program.

The above Bill was read a second time at length as required by the Constitution.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Starkey, Carter, Grouby, Butler, Adams, Clark (D), Bugg, Junkins, Ford, Newman, Lauderdale, Hettinger, Grayson, Gray, Richardson, Burke, Rains, Brooks, Box, Kvalheim, Gaston, Hooper, Reed, Turnham, Flowers, Preuitt, Venable, Hammett, Crow, McKee, Zoghby, Mikell, Penry, McMillan, Holmes, Black, Albright, Smith, Boles, Coleman, Bowling, Payne, Clark (J), McNair, McDowell, Melton, Pratt, Biddle, Goodwin, Turner, Hall, Holley, Mitchell, Marietta, Trammell, Beasley, Cosby, Onderdonk, and Tanner:

H. 64. To amend Sections 31-6-2, 31-6-4, 31-6-5 and 31-6-6, Code of Alabama 1975, relating to educational benefits for certain children or wives or widows of certain deceased or disabled veterans or prisoners of war, so as to further provide therefor.

By Rep. Clark (J):

H. 629. To designate the Department of Mental Health and Mental Retardation as a special school district.

By Rep. Grayson:

H. 521. To amend Sections 16-49-26 and 16-49-27, Code of Alabama 1975, which provide for the meetings and quorum of the Board of Trustees of Alabama Agricultural and Mechanical University, so as to provide further for said meetings and quorum.

By Rep. Johnson (RG):

H. 730. Relating to the licensing of certain automotive dismantlers and parts recyclers; to amend Sections 40-12-410, 40-12-411, 40-12-412, 40-12-413, 40-12-414, 40-12-415, 40-12-416, 40-12-418, 40-12-421 and 40-12-423, Code of Alabama 1975, so as to provide for the licensing of three categories of business that either repair, dismantle or recycle automobiles and parts thereof; to provide for license fees and any accompanying issuance fees and to provide for definitions of the three categories of automotive dismantlers and parts recyclers.

By Rep. Mathis:

H. 183. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1986, to indemnify owners

of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

BUDGET ISOLATION RESOLUTION

Senator Bedford requested and received permission to suspend the Rules to offer the following Resolution, to-wit:

Senator Bedford, B. I. R., H. B. 743, Rules.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 562. Relating to Etowah County; to provide for an expense allowance for the Commission Chairman and each County Commissioner and to provide for its retroactive effect.

Also:

H. 631. Relating to Madison County; providing further for costs and charges in the circuit and district courts of said county in all cases wherein a defendant or juvenile is charged with a violation of the Alabama Uniform Controlled Substances Act; providing for the use of the monies to be derived therefrom and placing certain restrictions thereon.

Also:

H. 671. To extend, alter and rearrange the boundary lines and corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 859. Relating to Madison County, authorizing municipalities to fund group insurance plans for retired municipal employees.

Also:

H. 972. To alter, rearrange and extend the boundary lines and corporate limits of the City of Sylacauga in Talladega County.

Also:

H. 1040. Relating to Elmore County; authorizing the County Commission to provide clerical help for certain county officials; and repealing all conflicting laws.

Also:

H. 694. Relating to Shelby County; to authorize the county commission to provide for hospital and medical insurance of retired county employees.

Also:

H. 570. Relating to Walker County, to amend Act 1067, S. 938 of the 1973 Regular Session (Acts 1973, p. 1802) as amended relating to the county commission, so as to delete the requirement of certain additional meetings in each district of Walker County.

REGULAR SESSION
29th Day

1771

Also:

H. 571. Relating to Walker County; providing a monthly expense allowance for each member of the Walker County Commission; and providing that such monthly expense allowance shall be the total expense allowance and shall be paid from the county general fund.

Also:

H. 572. Relating to Walker County; to provide that the county governing body may provide clerk-hire allowances to county offices and county officers and to repeal certain conflicting laws.

Also:

H. 574. Relating to St. Clair County; providing that the probate judge will be the chairman of the county commission and providing for a referendum.

Also:

H. 687. Relating to Shelby County; prohibiting the sale of the Shelby County Medical Center without prior referendum approval of such sale by the qualified electors of the county and providing for holding such referendum election.

Also:

H. 903. To provide for an expense allowance for the circuit and district judges and the district attorney of the Fourteenth Judicial Circuit to be paid by the county comprising such circuit; to fix the amount and method of payment of such expense allowance; and to provide that no retirement contributions shall be deducted from the expense allowance.

Also:

H. 982. Relating to law enforcement in Dale County; an act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees.

Also:

H. 1006. Relating to Pike County; providing further for an expense allowance for the county commission of said county.

Also:

H. 1013. Relating to Pike County; to create the Troy-Pike County Lake Authority; and to provide for the composition and powers of said authority.

Also:

H. 729. To authorize the Talladega County Board of Health to designate the services rendered by the Talladega County Health Department for which a reasonable fee may be charged. The Talladega County Board of Health is further required to set a maximum fee for each service. The Talladega County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 850. Relating to Mobile County; to allow the Mobile County Commission, at its discretion, to grant an expense allowance to the District Court Clerk of the Thirteenth Judicial Circuit.

Also:

H. 791. Relating to Baldwin County; to provide that the cost of conducting certain elections shall be paid by the county.

Also:

H. 790. Relating to Baldwin County; amending the title and Section 2 of Act No. 79-623, S. 479, 1979 Regular Session (Acts 1979, p. 1106), which act relates to the disposition of funds from the leasing of oil, gas and mineral rights owned by the county on rights-of-way within the county road system, so as to provide further for the expenditure of such funds.

Also:

H. 179. To provide a supplement to the salaries of circuit court bailiffs in the Thirteenth Judicial Circuit.

Also:

H. 655. Relating to Geneva County; providing an expense allowance to the superintendent of education for the period retroactive from July 1, 1984, through June 30, 1985, payable from the county treasury; and providing for an automatic repealer July 1, 1985.

Also:

H. 756. Relating to the Geneva County Superintendent of Education; establishing an index range for any expense allowance granted to such superintendent; authorizing the Geneva County Board of Education to set such salary; and providing such allowance shall be made from the county treasury.

Also:

H. 880. Relating to Geneva County to amend Section 1 of Act 79-585, Acts of Alabama, page 1045; relating to the clerk hire allowances paid to the tax assessor and tax collector, so as to provide further for such allowances for the period of time from August 1, 1979 through July 31, 1982; and to provide retroactive effect for such period of time.

Also:

H. 881. Relating to Geneva County; providing for the mode of establishing the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Geneva County, providing for an advisory referendum called for such purpose; and providing for an effective date.

Also:

H. 882. Relating to Geneva County; providing for election of the members of the county commission from districts to be defined by the present commission, as provided by law; providing for an advisory referendum by the qualified electors of Geneva County; providing for the members of the commission to reside within the district they represent throughout their terms.

Also:

H. 883. Relating to Geneva County; to establish a civil service system for Geneva County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Geneva County; to provide for the appointment of members of the personnel board; and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain county employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the personnel board the authority to require the attendance of witnesses and the production of documents at such proceeding and to establish penalties for failure to attend or produce records as required to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; and to guarantee certain rights to the governing body of Geneva County.

Also:

H. 955. Relating to St. Clair County; to require the installation and maintenance of an improved system of indexing and recording documents affecting the title to property and other documents recorded in the Office of the Judge of Probate; to provide the collection and disposition of a special indexing and recording fee; and to provide that said system shall constitute official and permanent records in St. Clair County.

Also:

H. 857. Relating to Mobile County; to exempt from all county, local, or municipal ad valorem taxes all property owned and used by The Woman's Club of Saraland, Inc., a nonprofit corporation, retroactive to October 1, 1983.

Also:

H. 85. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in Pike County.

Also:

H. 604. To amend Section 17-4-156, Code of Alabama 1975, relating to the meeting days of the boards of registrars, so as to increase Pike County's board of registrars meeting days.

Also:

H. 721. Relating to Crenshaw County; to authorize the county commission to increase their expense allowance and provide for the source of said funds.

Also:

H. 780. Relating to the second judicial circuit; granting law enforcement authority to the investigators of the district attorney's office and the district attorney shall have the authority to have the investigators and other employees of his office to assist him in the presence of the grand jury except when said jury is deliberating.

Also:

H. 555. Relating to Coosa County; to provide for a special recording fee on documents filed in the office of the judge of probate; and to prescribe the use thereof.

Also:

H. 1008. To alter, rearrange and extend the boundary lines and corporate limits of the city of Bay Minette in Baldwin County.

Also:

H. 1056. To amend Act No. 92, Acts of Alabama 1956, providing for the "Baldwin County Law Library Fund" so as to redesignate it the "Baldwin County Law Library and Judicial Administration Fund"; to provide that the fund may be used, in addition to purchasing law books, periodicals and equipment for the library, for the purposes of furthering the effective administration of justice as provided herein; to designate eighty percent (80%) of said fund for the purposes of maintaining the county law library and twenty percent (20%) for the purposes of judicial administration; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, and House Joint Resolution, your signature thereto is requested.

H. 114. To establish service territories for electric suppliers within the State; to provide the means of eliminating or reducing the potential for duplication of electric distribution facilities used for furnishing retail electric service; to mandate and implement the determination of which electric supplier shall furnish retail electric service to electric customers within various areas of the State including areas within municipal limits of municipalities as such municipal limits existed on April 26, 1984 and outside municipal limits based on the location of electric distribution facilities as of January 1, 1984; to provide that the primary electric supplier within each municipality in the State shall have the right, at its option, to purchase all distribution facilities of any secondary electric supplier used to supply retail electric service within the municipal limits as such municipal limits existed on April 26, 1984 and have the right to serve all premises within the municipal limits as such municipal limits existed on April 26, 1984, subject to certain conditions; to define the right and obligation of municipalities and municipally-owned electric suppliers to provide electric service in areas outside the municipal limits as such municipal limits existed on April 26, 1984 based on the location of electric distribution facilities as of January 1, 1984; to provide electric suppliers designated to serve particular areas outside municipal limits of any municipality, an option to purchase facilities of other suppliers constructed in such area after January 1, 1984; to provide for resolution of disputes between electric suppliers regarding sale or purchase of electric facilities; to provide for the applicability of certain provisions of Title 37, Code of Alabama (1975); to provide special rules for elimination of duplication of facilities in the case of certain agreements between electric suppliers; to prohibit the providing of electric service in violation of this Act; to provide for judicial review and validation of the provisions of this Act by the courts and set out procedures governing such proceedings and appeals therefrom; to provide that certain provisions of the Act are not severable and that if any such provision is declared invalid under state law, the remaining provisions also shall be invalid, and to further provide that if the Act is declared invalid, any actions taken by any party in conformity with the provisions of the Act shall be lawful but that any electric service rendered pursuant to the provisions of the Act shall be terminated; and to repeal all laws or parts of laws in conflict herewith or if Act No. 84-206, adopted in the Regular Session of 1984, is upheld, to amend Act No. 84-206 so as to provide for and approve additional agreements between electric suppliers to eliminate duplication of facilities.

Also:

H. J. R. 345. EXTENDING THE COST AND EXPENSE ALLOWANCE FOR THE LEGISLATIVE FORESTRY STUDY COMMITTEE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 736. Relating to Walker County; proposing an amendment to the Constitution of Alabama of 1901, relating to providing for the operation of bingo games by qualified non-profit organizations for charitable or educational purposes in Walker County.

Also:

H. 861. To propose an amendment to the Constitution of Alabama of 1901, so as to authorize Pike County to establish local ad valorem tax rates on certain motor vehicles whether for governing bodies or entities within the county.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

Senator Parsons and Teague requested and received permission to suspend the Rules to offer the following Senate Resolution, to-wit:

S. R. 260. DESIGNATING MAY 14, 1985, AS "CARL ELLIOTT DAY" IN ALABAMA.

Which was adopted.

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 393. NOTING, WITH COMMENDATION, THE GOLDEN ANNIVERSARY OF RURAL ELECTRIFICATION.

On motion of Senator Covington, the Resolution was then concurred in and adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 936. Relating to missing persons and unidentified deceased persons; to create a statewide information center within the state department of public safety to receive reports and investigations of such persons; to require the bureau to enter and cancel certain information to the National Crime Information Center (NCIC) computer; to provide for certain other responsibilities of the bureau; to require the bureau to provide lists of missing school children, grades K-12, to the state board of education; to provide that the bureau shall upon request, assist local law enforcement agencies and other agencies to set up direct computer access to the state's computer system and to provide that the bureau maintain a toll-free telephone number for reporting by other persons of missing persons.

And said Bill, H. B. 936, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Hand	Menton
Aldridge	deGraffenried	Hilliard	Mitchem
Amari	Denton	Holmes	Parsons
Bailey	Dial	Horn	Smith (B)
Barron	Dixon	Langford	Smith (J)
Cabaniss	Drinkard	Little	Teague
Corbett	Figures		

—25

Nays: —0

THE BILL:

H. 938. Relating to child victims of crime, to grant certain assurances that children will be given certain assistance during the course of a criminal proceeding in which the child is the victim.

was taken up.

Senator Aldridge offered the following substitute for the Bill, H. B. 938, to-wit:

SUBSTITUTE FOR H. B. 938

**A BILL
TO BE ENTITLED
AN ACT**

Relating to child victims of crime, to grant certain assurances that children will be given certain assistance during the course of a criminal proceeding in which the child is the victim.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The legislature finds that it is necessary to provide child victims and witnesses with additional consideration and different treatment

than that usually afforded to adults. The legislature intends, in this act, to provide these children with additional rights and protections during their involvement with the criminal justice system. The legislature urges the news media to use restraint in revealing the identity of child victims or witnesses, especially in sensitive cases.

Section 2. In addition to all rights and services afforded to victims and witnesses under the laws of this state, counties are encouraged to provide the following additional services on behalf of children who are involved in criminal proceedings as victims or witnesses:

(a) Explanations, in language understood by the child, of all legal proceedings in which the child will be involved.

(b) Advice to the judge, when appropriate and as a friend of the court, regarding the child's ability to understand proceedings and questions. The services may include providing assistance in determinations concerning the taking of videotaped depositions and the duty to expedite proceedings as may be provided by law.

(c) Advice to the district attorney concerning the ability of a child witness to cooperate with the prosecution and the potential effects of the proceedings on the child.

(d) Information about and referrals to appropriate social services programs to assist the child and the child's family in coping with the emotional impact of the crime and the subsequent proceedings in which the child is involved.

Section 3. In each county, the district attorney's victim service officer, the local child abuse protection team, volunteer services, and the county board of pensions and security are jointly responsible for the enforcement of rights and the provision of services under this act. A county may seek reimbursement for services provided under this act as part of its program plan submitted to the department of pensions and security. To the extent possible, counties shall utilize volunteers and existing public resources for the provision of these services.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Little
Aldridge	Corbett	Ellis	Menton
Amari	Covington	Figures	Mitchem
Bailey	deGraffenried	Hand	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dial	Langford	Teague
Bennett	Dixon		

—25

Nays:

—0

REGULAR SESSION
29th Day

1779

And said Bill, H. B. 938, as thus amended, was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Little
Aldridge	Corbett	Ellis	Menton
Amari	Covington	Figures	Mitchem
Bailey	deGraffenried	Hand	Smith (B)
Barron	Denton	Holmes	Smith (J)
Bedford	Dial	Horn	Teague
Bedsole	Dixon	Langford	

—26

Nays: —0

THE BILL:

H. 939. To provide procedures in criminal prosecutions involving the sexual exploitation of children and in other prosecutions for sex offenses wherein the alleged victim is a child under the age of 16, whereby the court may allow: leading questions at trial of any victim or witness who is under the age of 10; and 2) testimony of certain child victims and witnesses to be by videotaped deposition or by closed-circuit television equipment; to provide for the costs of making the videotapes of such depositions and for the use of closed circuit television equipment; to provide that the supreme court may adopt rules of procedure regarding the taking and use of videotaped depositions; to provide that such videotaped depositions shall be subject to protective orders of the court to protect the privacy of the victim or witness; to appropriate funds to the unified judicial system to furnish courts with necessary equipment to view the videotaped depositions; to permit the use of anatomically correct dolls or mannequins to assist an alleged victim or witness with the testimony; to provide procedures to ensure prompt trials in certain prosecutions; and to provide an effective date.

was taken up.

Senator Aldridge offered the following substitute for the Bill, H. B. 939, to-wit:

SUBSTITUTE FOR H. B. 939

**A BILL
TO BE ENTITLED
AN ACT**

To provide procedures in criminal prosecutions involving the sexual exploitation of children and in other prosecutions for sex offenses wherein the alleged victim is a child under the age of 16, whereby the court may allow: leading questions at trial of any victim or witness who is under the age of 10; testimony of certain child victims and witnesses to be by videotaped deposition or by closed-circuit television equipment; to provide for the costs of making the videotapes of such depositions and for the use of closed circuit television equipment; to provide that the supreme court may adopt rules of procedure regarding the taking and use of videotaped depositions; to provide that such videotaped depositions shall be subject to protective orders of the court to protect the privacy of the victim or witness; to appropriate funds to the unified judicial system to furnish courts with necessary equipment to

view the videotaped depositions; to permit the use of anatomically correct dolls or mannequins to assist an alleged victim or witness with the testimony; to provide procedures to ensure prompt trials in certain prosecutions; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In any criminal prosecution for a sexual offense wherein the alleged victim is a child under the age of 16 years and in any criminal prosecution involving the sexual exploitation of a child under the age of 16, the court may allow leading questions at trial by the prosecution or defense of any victim or witness in such case who is under the age of 10, if the court determines that the allowance of leading questions will further the interests of justice. The court may on motion of the prosecution or the defense, or on its own motion, limit the scope and extent of any such leading questions.

Section 2. (a) In any criminal prosecution referred to in Section 1 of this Act, the court may, upon motion of the district attorney, for good cause shown and after notice to the defendant, order the taking of a videotaped deposition of an alleged victim of or witness to said crime who is under the age of 16 at the time of such order. On any motion for a videotaped deposition of the victim or a witness, the court shall consider the age and maturity of the child, the nature of the offense, the nature of testimony that may be expected, and the possible effect that such testimony in person at trial may have on the victim or witness, along with any other relevant matters that may be required by Supreme Court Rule. If the court orders that a deposition of the victim or witness shall be had as provided herein, the district attorney shall make all necessary arrangements to have the same videotaped.

Such deposition shall be taken before the judge in his chambers or in such other suitable location as the court may direct and shall be conducted in the presence of the district attorney, the defendant and his attorney, and such other persons as the court in its discretion may permit, taking into consideration the welfare and well-being of the alleged child victim or witness. Examination and cross-examination of the alleged victim or witness shall proceed at the taking of the videotaped deposition as though the alleged victim or witness were testifying personally in the trial of the case. The State shall provide the attorney for the defendant with reasonable access and means to view and hear the videotaped deposition at a suitable and reasonable time prior to the trial of the case. Objections to the introduction into the record of such deposition shall be heard by the judge in whose presence the deposition was taken, and unless the court determines that its introduction in lieu of the victim's or witness's actual appearance as a witness at the trial will unfairly prejudice the defendant, such videotaped deposition shall be entered into the record by the State in lieu of the direct testimony of the alleged victim or witness and shall be viewed and heard at the trial of the case.

(b) For the purposes of this section, "videotaped deposition" means the visual recording on a magnetic tape, together with the associated sound of a witness testifying under oath to be entered in the record in a judicial proceeding.

(c) The supreme court may adopt rules of procedure regarding the taking and use of videotaped depositions in criminal proceedings and juvenile cases, as well as for the transcribing of such in the event the case is thereafter appealed.

(d) All costs associated with the videotaping of a deposition ordered pursuant to this Act shall be paid by the State. The district attorney shall submit all such cost bills to the state comptroller for approval and payment from the fund entitled "court costs not otherwise provided for".

(e) All videotapes ordered pursuant to this Act shall be subject to any protective order of the court for the purpose of protecting the privacy of the victim of the offense.

Section 3. (a) In those criminal prosecutions set out in Section 1 of this Act, the Court may, on motion of the State or the defendant prior to the trial of the case, order that the testimony of any alleged victim of such crime or witness thereto who is under the age of 16 at the time of such order shall be viewed and heard at trial by the court and the finder of fact by closed circuit equipment. In ruling on such motion the court shall take into consideration those matters set out in Section 2 of this Act. If the court orders that such victim's or witness's testimony in court shall be by closed circuit equipment, the testimony shall be taken outside the courtroom in the judge's chambers or in such other suitable location designated by the judge. Examination and cross-examination of the alleged child victim or witness shall proceed as though he or she were testifying in the courtroom. Present in the room with the child during his or her testimony shall be the district attorney, the defendant and his attorney, and such other persons as the court in its discretion may permit taking into consideration the welfare and well-being of the child. Persons operating the closed circuit equipment shall do so, where practical, in an adjacent or nearby room or behind a screen or mirror that permits them to see and hear the child during the testimony, but which does not permit the child to view them. Suitable audio equipment shall be provided so as to permit the court to communicate with the parties and the witness throughout the testimony. The party making the motion that the testimony shall be by closed circuit equipment shall make all necessary arrangements regarding the equipment and the operation thereof during the course of the proceeding.

(b) All costs incurred by the district attorney to make it possible for the court and the trier of the fact to view the testimony of the victim by closed circuit equipment as provided in this Act shall be paid by the State. The district attorney shall submit all bills for such costs to the state comptroller for approval and payment from the fund entitled "court costs not otherwise provided for".

(c) Notwithstanding any other provision of law or rule of evidence, a child victim of sexual abuse or sexual exploitation, shall be considered a competent witness and shall be allowed to testify without prior qualification in any judicial proceeding. The trier of fact shall be permitted to determine the weight and credibility to be given to the testimony. The court may also allow leading questions of such child witnesses in the interest of justice.

Section 4. There is hereby appropriated from the state general fund the sum of \$104,400 to the Unified Judicial System to furnish courts with the necessary equipment to view videotaped depositions as provided for in this Act.

Section 5. In any criminal proceeding and juvenile cases wherein the defendant is alleged to have had unlawful sexual contact or penetration with or on a child, the court shall permit the use of anatomically correct dolls or mannequins to assist an alleged victim or witness who is under the age

of 10 in testifying on direct and cross-examination at trial, or in a videotaped deposition as provided in this Act.

Section 6. In all criminal cases and juvenile proceedings involving offenses set out in Section 1 of this Act, wherein the victim hereof or a witness to the offense is under the age of 16 years, the court and the district attorney shall take appropriate action to ensure a speedy trial in order to minimize the length of time the child must endure the stress of involvement in the proceedings. In ruling on any motion or other request for a delay or continuance of proceedings, the court shall consider and give weight to any adverse impact the delay or continuance may have on the well-being of a child victim or witness.

Section 7. The provisions of this Act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 9. This act shall become effective on October 1, 1985.

On motion of Senator Bedford, further consideration of the Bill, H. B. 939, and pending substitute, was postponed subject to the call of the Chair.

THE BILL:

H. 940. Relating to applicants for adoption or foster parents; to require the department of pensions and security to apply for, and for the state department of public safety to furnish, any history of prior felony convictions. The applicant shall be denied adoptive or foster parent status if he or she has a prior history of felony conviction in this or another state, and to revoke such status of foster parent if he or she is subsequently convicted of a felony; to require strict confidentiality of such reports and to provide for a fine for breach of such confidential information.

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Mitchem
Aldridge	Covington	Goodwin	Parsons
Amari	deGraffenried	Hand	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dixon	Little	Strong
Bennett	Drinkard	Menton	Teague
Cabaniss			

—24

Nays:

—0

RESOLUTION

Senator Barron requested and received permission to suspend the Rules to offer the following Senate Resolution, to-wit:

S. R. 261. CONGRATULATING VONDAL S. GRAVLEE ON BEING NAMED TO THE HOUSING HALL OF FAME.

Which was adopted.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 945. Relating to victims of child abuse and neglect; to require the state pensions and security department to develop one or more multi-disciplinary child protection teams in each county to assist and supplement protective services for such children; to provide for their composition and functions and to avoid duplication of certain services.

was taken up.

Senator Aldridge offered the following substitute for the Bill, H. B. 945, to-wit:

SUBSTITUTE FOR H. B. 945

**A BILL
TO BE ENTITLED
AN ACT**

Relating to victims of child abuse and neglect; to require the state child abuse and neglect prevention board to develop multi-disciplinary child protection teams throughout the state to assist and supplement protective services for such children; to provide for the composition and functions of such teams and to avoid duplication of certain services; to provide for an ad hoc advisory committee to develop guidelines for the operations of such teams, subject to approval by the board and governor; to provide that the act shall become effective October 1, 1985; to preserve such teams in existence as of the passage of this act; and to provide a continuing annual appropriation to implement the provisions of the act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The state of Alabama child abuse and neglect prevention board shall provide for the development and coordination of the multi-disciplinary child protection teams created by this act and for the services to be provided by such teams throughout the state. Such teams shall be composed of representatives from the local departments of pensions and security, the local law enforcement agencies, the local district attorneys' offices and the local educational agencies. The teams may also include representatives from the local health field, mental health services, local social service agencies and local members of the legal profession. Representatives of other professions or disciplines may be included if the local team as established deems them useful or necessary.

Section 2. The state of Alabama child abuse and neglect prevention board shall adopt guidelines and criteria relating to the operations and functions of the team as promulgated by the advisory committee created pursuant to Section 2 hereof. The guidelines will be supplemental to the existing protective service activities of the children, youth, and family programs of the state of Alabama. Nothing in this section shall be construed to remove or reduce the duty and responsibility of any person to report all suspected or actual cases of child abuse or neglect or sexual abuse of a child pursuant to law. The general role of the teams shall be to support activities of the program and to provide services to abused and neglected children upon referral by the county departments of pensions and security, or any other agency as set forth in the guidelines and criteria established.

To the extent that resources are available to each of the various teams throughout the state, the functions of the teams shall include, but not be limited to, the following specific functions:

(a) To provide comprehensive medical and psychological programs for the identification and diagnosis of child abuse and for treatment and rehabilitation programs for abused children, and their family members.

(b) To provide case service coordination and assistance, including the types and locations of services available to abused children and their family members from other public or private agencies in the community in an effort to provide the fullest range of services while avoiding the duplication of services.

(c) To provide for educational and community awareness campaigns on child abuse and neglect in an effort to enable citizens more successfully to prevent, identify, and report and treat child abuse and neglect victims in the community.

Section 2. Upon the effective date of this act, the state child abuse and neglect prevention board, herein referred to as the board, shall create an advisory committee known as the ad hoc child abuse protection team advisory committee, hereinafter referred to as the committee. The committee shall be composed of a number of representatives, as determined by the board, of various agencies who have actual experience in their respective fields regarding child abuse and neglect.

The committee shall study the operational aspects of multi-disciplinary child protection teams, hereinafter referred to as teams, including both existing teams and those teams to be created pursuant to this act, and shall promulgate guidelines for the reporting or referral of child abuse or neglect cases to the teams. The committee shall present their guidelines within 3 months after the committee is formed to the board and to the governor's office for approval. Upon final approval of such guidelines by both the board and the governor, the teams shall begin organizing and as soon as is practicable shall begin to carry out their functions.

Section 3. The board shall hire a state team coordinator with or without regard to the state merit system law who shall serve at the pleasure of the board and whose salary shall be set by and paid by the board. In addition, the board is authorized to hire, with or without regard to the state merit system law, such additional staff as it deems necessary to carry out the functions of this act. The board shall also be authorized to provide for such office equipment and supplies as are necessary. Those additional staff members hired outside the merit system law shall be hired, shall serve and shall be compensated in the same manner as the state team coordinator. The coordinator and staff shall, for purposes of employee benefits, health insurance, retirement, annual and sick leave and holidays, travel allowance and per diem and other benefits, be treated as if they are employees of the state under the merit system whether they are hired pursuant to the merit system or not subject to the merit system.

Section 4. Child abuse prevention teams in existence as of October 1, 1985, shall not be replaced by the provisions of this act. Such existing teams are hereby expressly preserved and shall be exempt from the provisions of this act.

Section 5. In order to implement the provisions of this act, the sum of \$75,000.00 for fiscal year 1985-1986, and for each fiscal year thereafter is

hereby appropriated from the state general fund to the child abuse and neglect prevention board. The appropriation herein provided shall be a continuing annual appropriation requiring no further action by the legislature and any funds remaining at the end of any fiscal year shall not revert to the general fund but shall be carried forward to the next succeeding fiscal year.

Section 6. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws in conflict herewith are hereby repealed.

Section 8. This act shall become effective October 1, 1985.

Senator Bedsole offered the following substitute for the Aldridge substitute for the Bill, H. B. 945, to-wit:

SUBSTITUTE FOR ALDRIDGE SUBSTITUTE FOR H. B. 945

**A BILL
TO BE ENTITLED
AN ACT**

Relating to victims of child abuse and neglect; to require the Department of Pensions and Security to develop multi-disciplinary child protection teams throughout the state to assist and supplement protective services for such children; to provide for the composition and functions of such teams and to avoid duplication of certain services; to provide for an ad hoc advisory committee to develop guidelines for the operations of such teams, subject to approval by the Governor; to provide for annual reports on the operation of such teams; to provide that the act shall become effective October 1, 1985; and to preserve such teams in existence as of October 1, 1985.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Department of Pensions and Security shall provide for the development and coordination of the multi-disciplinary child protection teams created by this act and for the services to be provided by such teams throughout the state. Such teams shall be composed of representatives from the local departments of pensions and security, the local law enforcement agencies, the local district attorneys' offices, and the local educational agencies. The teams may also include representatives from the local health field, mental health services, local social service agencies, and local members of the legal profession. Representatives of other professions or disciplines may be included if the local team as established deems them useful or necessary.

Section 2. The Department of Pensions and Security shall adopt guidelines and criteria relating to the operations and functions of the team as promulgated by the advisory committee created pursuant to Section 3 hereof. The guidelines will be supplemental to the existing protective service activities of the children, youth, and family programs of the State of Alabama. Nothing in this section shall be construed to remove or reduce the duty and responsibility of any person to report all suspected or actual cases of child abuse or neglect or sexual abuse of a child pursuant to law. The general role of the teams shall be to support activities of the program and to provide services to abused and neglected children upon referral by the county departments

of pensions and security, or any other agency as set forth in the guidelines and criteria established.

To the extent that resources are available to each of the various teams throughout the state, the functions of the teams shall include, but not be limited to, the following specific functions:

(a) To provide comprehensive medical and psychological programs for the identification and diagnosis of child abuse and for treatment and rehabilitation programs for abused children, and their family members.

(b) To provide case service coordination and assistance, including the types and locations of services available to abused children and their family members from other public or private agencies in the community in an effort to provide the fullest range of services while avoiding the duplication of services.

(c) To provide for educational and community awareness campaigns on child abuse and neglect in an effort to enable citizens more successfully to prevent, identify, and report and treat child abuse and neglect victims in the community.

Section 3. Upon the effective date of this act, an ad hoc child abuse protection team advisory committee shall be created and shall consist of the following members: The Governor of the State of Alabama or his designated representative; the Director of the Department of Pensions and Security; the Executive Director of the Child Abuse Trust Fund; the President of the State Parents Teachers Association; two judges in the State of Alabama that preside over courts exercising juvenile jurisdiction to be selected by the Chief Justice of the Alabama Supreme Court; one representative from the association of county Department of Pensions & Security County Directors to be selected by the Governor; the Executive Director of the Office of Prosecution Services; the Chairman of the Victims Compensation Commission; and two other members selected by the President of the Child Abuse Trust Fund.

The committee shall study the operational aspects of multi-disciplinary child protection teams, hereinafter referred to as teams, including both existing teams and those teams to be created pursuant to this act, and shall promulgate guidelines for the reporting or referral of child abuse or neglect cases to the teams. The committee shall present their guidelines within 3 months after the committee is formed to the Governor.

Upon final approval of such guidelines by the Governor, the teams shall begin organizing and as soon as it is practicable shall begin to carry out their functions.

In order to ensure the effective implementation of these teams, the Director of the Department of Pensions and Security shall submit a report on the overall operation of these teams to the Joint Legislative Committee on Children and Youth within 30 days of the beginning of each annual Regular Session of the Alabama Legislature.

Section 4. Child abuse prevention teams in existence as of October 1, 1985, shall not be replaced by the provisions of this act. Such existing teams are hereby expressly preserved and shall be exempt from the provisions of this act.

REGULAR SESSION
29th Day

1787

Section 5. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 7. This Act shall become effective October 1, 1985.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment.

By Reps. Rains and Coleman (With Notice and Proof):

H. 1072. Relating to Marshall County; providing for the method of electing the county superintendent of education and the members of the county board of education and providing further for the establishment of the county schools.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1072, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1072—to the Committee on Local Legislation No. 1

FURTHER CONSIDERATION OF H. B. 945

The Senate proceeded to further consideration of the Bill, H. B. 945. The question was on the Bedsole substitute for the Aldridge substitute for the Bill, H. B. 945.

Senator Aldridge moved that said Bedsole substitute be laid on the table, which motion was lost.

Yeas 6; Nays 20.

Yeas:

Senators:	Drinkard	Parsons	Teague
Aldridge	Holmes	Smith (B)	

Nays:

Senators:	Bennett	Dixon	Little
Amari	Cabaniss	Ellis	Menton
Bailey	Corbett	Hand	Mitchem
Barron	Covington	Horn	Smith (J)
Bedford	Dial	Langford	Strong
Bedsole			

—20

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 544. Providing for the development and establishment of an incentive-based pay plan for the teachers of the public schools of Alabama; provides career incentives for public school teachers; initiating a program of performance appraisal; establishing salary progressions for education personnel; and providing for the implementation of this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 544. Providing for the development and establishment of an incentive-based pay plan for the teachers of the public schools of Alabama; provides career incentives for public school teachers; initiating a program of performance appraisal; establishing salary progressions for education personnel; and providing for the implementation of this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1042. Relating to the compensation of the Talladega County revenue commissioner; to provide that the county commission of Talladega County

may set the salary of the county revenue commissioner from time to time within certain limitations; and providing an effective date.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 945

The Senate proceeded to further consideration of the Bill, H. B. 945. The question was on the Bedsole substitute for the Aldridge substitute for the Bill, H. B. 945.

And said Bedsole substitute was then adopted.

And said Aldridge substitute, as thus amended by the Bedsole substitute for the Bill, H. B. 945, was then adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Little	
Aldridge	Corbett	Ellis	Menton	
Amari	Covington	Hand	Mitchem	
Barron	deGraffenried	Holmes	Smith (J)	
Bedsole	Dial	Horn	Strong	
Bennett	Dixon	Langford	Teague	—23

Nays: —0

And said Bill, H. B. 945, as thus amended by the substitute, as amended, was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Parsons	
Aldridge	Dial	Holmes	Smith (B)	
Amari	Dixon	Langford	Smith (J)	
Barron	Drinkard	Little	Strong	
Bedford	Ellis	Menton	Teague	
Covington	Figures	Mitchem		—22

Nays: —0

THE BILL:

H. 946. Relating to investigations by law enforcement agencies and social service agencies of this state concerning suspected or actual child abuse or neglect, so as to require agencies to share their information, upon

request, with any other agency or agencies when the sharing of such information is necessary to prevent or discover child abuse or neglect.

was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Menton	
Aldridge	Corbett	Figures	Mitchem	
Amari	Covington	Hand	Parsons	
Barron	deGraffenried	Hilliard	Smith (B)	
Bedford	Dial	Holmes	Smith (J)	
Bedsole	Dixon	Langford	Strong	
Bennett	Drinkard	Little	Teague	—27

Nays:

—0

THE BILL:

H. 947. Relating to victims of sexual abuse or sexual exploitation; to prohibit the publication of the identity of such victims and to provide misdemeanor punishment for violations; to provide that court records of such victims shall not be open to the public; and to allow presiding circuit judges to formulate rules which limit the number of interviews or interrogations which can be conducted upon such victims under 12 years of age.

was taken up.

Senator Aldridge offered the following substitute for the Bill, H. B. 947, to-wit:

SUBSTITUTE FOR H. B. 947

A BILL TO BE ENTITLED AN ACT

Relating to victims of sexual abuse or sexual exploitation; to provide that court records of such victims shall not be open to the public; and to allow presiding circuit judges to formulate rules which limit the number of interviews or interrogations which can be conducted upon such victims under 12 years of age.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The presiding judge of a judicial circuit, after consultation with the district attorney for the judicial circuit may provide for reasonable limits on the number of interviews a victim of sexual abuse or exploitation, who is under 12 years of age, must submit to for law enforcement or other purposes. The judge shall, to the extent possible, protect the victim from the psychological damage of repeated interrogation while preserving the rights of the public, the victim, and the person charged with the violation.

Section 2. The court records of a child under the age of 18 years who is a victim of sexual abuse or exploitation shall not be open to the public, but shall be kept in the same manner as juvenile offender records are kept.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

REGULAR SESSION
29th Day

1791

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Little
Aldridge	Corbett	Ellis	Menton
Bailey	Covington	Figures	Mitchem
Barron	deGraffenried	Hand	Parsons
Bedford	Denton	Holmes	Smith (B)
Bedsole	Dial	Langford	Teague
Bennett	Dixon		

—25

Nays: —0

And said Bill, H. B. 947, as thus amended by the substitute, was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Drinkard	Little
Aldridge	Covington	Ellis	Menton
Amari	deGraffenried	Figures	Mitchem
Bailey	Denton	Hand	Parsons
Bedford	Dial	Holmes	Smith (B)
Bennett	Dixon	Langford	Teague
Cabaniss			

—24

Nays: —0

THE BILL:

H. 941. To require certain prospective employers to request from the public safety department records of all convictions, if any, for sex crimes of prospective employees; to exempt employees hired prior to the effective date of this act; to require certain other prospective employees or volunteers, and employees hired prior to the effective date of this act to sign statements which require disclosure of prior sex crime convictions; to define the term "sex crimes"; to provide penalties for submitting false information on such statements; to require the public safety department to furnish such statement forms and the information to be contained thereon; to require the employer to keep such statements for a period of time and to send copies to the public safety department, which shall keep such copies for a certain period of time; to provide for complete checks for prior sex crime convictions at the request of the employer and on a random sample basis of the department and to require the department to notify local law enforcement agencies and employers of such prior convictions; to provide for confidentiality of all reports, records and statements required by this act; and to provide that this act shall be effective September 1, 1985.

was taken up.

The Standing Committee on Student and Youth Activities reported the following amendment to the Bill, H. B. 941, to-wit:

COMMITTEE AMENDMENT TO H. B. 941

Amend House Bill 941, Page 3, Line 10, by inserting after the word "Section 2" the following:

"No one may be hired by any licensed child care facility in Alabama who has been convicted of a felony or of a crime dealing with the abuse of children."

On motion of Senator Bedford, said amendment was laid on the table.

Senator Bedford offered the following amendment to the Bill, H. B. 941, to-wit:

AMENDMENT TO H. B. 941

Amend H. B. 941 as follows:

On page 3, line 10, after the language "Section 2.", insert:

No one may be hired by any licensed child care facility in Alabama who has been convicted of murder, rape in the first degree, assault in the first degree, kidnapping in the first degree, arson in the first degree or of a crime dealing with abuse of children.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Dixon	Little	
Aldridge	Cabaniss	Ellis	Menton	
Amari	Corbett	Figures	Mitchem	
Bailey	Covington	Hand	Smith (B)	
Barron	deGraffenried	Holmes	Smith (J)	
Bedford	Denton	Langford	Teague	
Bedsole	Dial			—25

Nays:

—0

And said Bill, H. B. 941, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Menton	
Aldridge	Corbett	Ellis	Mitchem	
Amari	Covington	Hand	Parsons	
Barron	deGraffenried	Holmes	Smith (B)	
Bedford	Denton	Langford	Smith (J)	
Bedsole	Dial	Little	Teague	
Bennett	Dixon			—25

Nays:

—0

BUDGET ISOLATION RESOLUTION

Senator Aldridge, B. I. R., H. B. 928.

Senator Aldridge requested and received permission to suspend the Rules in order that the above B. I. R. be adopted.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Little	Teague	
Bishop	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 928. To amend the Code of Alabama 1975, Sections 26-16-3 and 26-16-30, relating to the Child Abuse and Neglect Prevention Board by providing further for the authorities, powers and duties of both the state Child Abuse and Neglect Prevention Board and the executive director of the Children's Trust Fund as to the hiring of staff and compensation of staff and to provide further for the distribution of funds.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Little	
Aldridge	deGraffenried	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Dixon	Horn	Smith (J)	
Cabaniss	Drinkard	Langford	Teague	
Corbett	Ellis			—25

Nays: —0

FURTHER CONSIDERATION OF H. B. 939

The Senate proceeded to further consideration of the Bill, H. B. 939. The question was on the substitute offered by Senator Aldridge.

Senator Cabaniss offered the following amendment to the substitute for the Bill, H. B. 939, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 939

Amend substitute for H. B. 939, page 3, line 1, by adding the new sentence; "During the taping of Videotaped depositions, the attorney of the parents of the child would be allowed to be present at the tapings.

Which was adopted.

Senator Bedford offered the following amendment to the substitute, as amended, for the Bill, H. B. 939, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 939

On page 2, line 25, after the word "attorney", insert:

or any other member of the prosecuting staff, but not the parent of said victim

On motion of Senator Aldridge, said amendment was laid on the table.

Yeas 13; Nays 12.

Yeas:

Senators:	Drinkard	Little	Smith (J)	
Aldridge	Figures	Parsons	Strong	
Amari	Hilliard	Smith (B)	Teague	
Denton	Horn			—13

Nays:

Senators:	Bedsole	Dixon	Langford	
Bailey	Corbett	Ellis	Menton	
Barron	Covington	Hand	Mitchem	
Bedford				—12

And said substitute, as amended, was then adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Little	
Aldridge	Covington	Figures	Mitchem	
Amari	deGraffenried	Hand	Smith (B)	
Bailey	Denton	Hilliard	Smith (J)	
Bedford	Dial	Holmes	Strong	
Bedsole	Dixon	Langford	Teague	
Bennett	Drinkard			—25

Nays:

—0

And said Bill, H. B. 939, as thus amended by the substitute, as amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Mitchem	
Aldridge	Dial	Holmes	Parsons	
Bailey	Dixon	Horn	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Bennett	Ellis	Little	Strong	
Covington	Figures	Menton	Teague	
deGraffenried	Hand			—25

Nays:

—0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 285. To provide further for group health insurance for certain retired employees receiving monthly benefits from the employees' retirement system of Alabama or from the teachers' retirement system; to amend section 36-29-10, Code of Alabama 1975, providing for the election by certain employees to continue coverage under the state employees' health insurance plan by the deduction of a portion of the premium for such coverage from their monthly benefit payments, so as to allow the first year funding from the State Employees Health Insurance Plan and the state to assume all subsequent funding; to amend §16-25A-1, Code of Alabama 1975, to further define retired employee under the public education employees' health insurance plan.

Also:

S. 707. Relating to Calhoun County; providing for the compensation of certain county officials and providing for the Judge of Probate to be reimbursed for the actual expenses of preparing voter lists.

Also:

S. 35. To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed and prescribed by any physician licensed to practice medicine, chiropractor, orthodontist, and podiatrist, as defined in this act, in the performance of his professional services from any city, county and state sales tax.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 146. To amend §41-16-21 of the Code of Alabama 1975 to exempt from the provisions of the law on competitive bidding on public contracts purchases by any hospital or other medical facility operated by any state department, board, bureau, commission, committee, institution, corporation, authority or office.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Reps. Biddle, Rogers and Perdue.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Denton, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 146, the title of which is set out in the foregoing Message from the House.

Yeas 19; Nays 0.

Yeas:

Senators:	Denton	Horn	Sanders	
Amari	Drinkard	Langford	Smith (B)	
Corbett	Hand	Menton	Smith (J)	
Covington	Hilliard	Mitchem	Strong	
deGraffenried	Holmes	Parsons	Teague	—19

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Senators Horn, Parsons, and Bennett.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 162. To amend Section 37-3-32 relating to Public Service Commission appropriations and increasing the registration fees of motor carrier vehicles.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 12. To provide a procedure whereby a person whose primary condition is mental retardation and who is accused of a crime may be identified by appropriate testing procedures between the time of his arrest and first formal court appearance so that insofar as is possible within the existing criminal justice system, such individual can be most fairly processed in view of his special problems.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Amari, the Senate concurred in and adopted the following House substitute for the Bill, S. B. 12, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 12

**A BILL
TO BE ENTITLED
AN ACT**

To provide a procedure whereby a person whose primary condition is mental retardation and who is accused of a crime may be identified after his arrest so that insofar as is possible within the existing criminal justice system, such individual can be most fairly processed in view of his special problems.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known as the "Retarded Defendant Act."

Section 2. For the purpose of this act, the following terms shall have the respective meanings ascribed by this section:

(1) COURT. The court having jurisdiction over the offense charged.

(2) DEFENDANT. Any person accused of a criminal offense against state laws.

(3) MENTALLY RETARDED PERSON. A person with significant subaverage general intellectual functioning resulting in or associated with concurrent impairments in adaptive behavior and manifested during the developmental period, as measured by appropriate standardized testing instruments.

Section 3. Following the arrest and detention of any person for an offense against the laws of this state, either the defendant or the state may, by verified affidavit filed with the court having jurisdiction, establish that the defendant is a person who has been identified as mentally retarded and has received or is presently receiving services through the Department of Mental Health Retardation, a program certified by the Department of Mental Health and Mental Retardation, or the Department of Education.

Section 4. The verified affidavit shall be furnished to the trial Judge, prosecutor, and defendant's attorney. Said affidavit may be used in connection with the decisions relative to bail hearings, determination of place of detention, and ultimate disposition of such case.

Section 5. If the defendant is determined by the court to be mentally retarded, the judge may:

(a) Consider the information submitted in determining the need for pretrial release along with appropriate conditions, or

(b) Order that the defendant, if he is not released, be accorded placement consistent with his special status so as to better protect him during this period of pretrial confinement.

Section 6. The verified affidavit shall become a part of the court record and shall be available for proper use in bail hearings, determination of place of detention, and ultimate disposition of such case.

Section 7. No information gained as a result of the provisions of this act shall be admissible in evidence either for or against the defendant on the issue of guilt in any criminal proceeding.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. Upon its passage and approval by the Governor, or upon its otherwise becoming a law, this act shall become effective on July 1, 1985.

Yeas 19; Nays 0.

Yeas:

Senators:	deGraffenried	Holmes	Parsons	
Amari	Denton	Langford	Smith (B)	
Bailey	Drinkard	Little	Smith (J)	
Bennett	Hand	Menton	Strong	
Corbett	Hilliard	Mitchem	Teague	—19

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 332. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1986.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 332. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1986.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had

been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. 936. Relating to missing persons and unidentified deceased persons; to create a statewide information center within the state department of public safety to receive reports and investigations of such persons; to require the bureau to enter and cancel certain information to the National Crime Information Center (NCIC) computer; to provide for certain other responsibilities of the bureau; to require the bureau to provide lists of missing school children, grades K-12, to the state board of education; to provide that the bureau shall upon request, assist local law enforcement agencies and other agencies to set up direct computer access to the state's computer system and to provide that the bureau maintain a toll-free telephone number for reporting by other persons of missing persons.

Also:

H. 940. Relating to applicants for adoption or foster parents; to require the department of pensions and security to apply for, and for the state department of public safety to furnish, any history of prior felony convictions. The applicant shall be denied adoptive or foster parent status if he or she has a prior history of felony conviction in this or another state, and to revoke such status of foster parent if he or she is subsequently convicted of a felony; to require strict confidentiality of such reports and to provide for a fine for breach of such confidential information.

Also:

H. J. R. 393. NOTING, WITH COMMENDATION, THE GOLDEN ANNIVERSARY OF RURAL ELECTRIFICATION.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit to you, herewith, a Message from Governor George C. Wallace, returning to you, the house in which it originated, Senate Bill No. 511,

without the Governor's signature and approval but with the following suggested Executive Amendment.

Done this 3rd day of May, 1985.

Respectfully submitted,

ELVIN L. STANTON,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 511, without my signature and approval but with a suggested Executive Amendment, which would make this bill acceptable to me.

The Executive Departments of state government, and in particular the Governor's Office itself, are oftentimes dependent upon temporary loans of vehicles and/or equipment from other departments of state government. For this reason, it will greatly facilitate matters if the Governor or his designee could also be included as an appropriate authority to give written permission for property transfers. This will greatly facilitate the operation of the Governor's Office and the Executive Department of state government. This change in the Bill would have no economic impact whatsoever and would merely be a savings of time and convenience to the Governor's Office and to Executive Departments of state government in some situations.

EXECUTIVE AMENDMENT TO SENATE BILL NO. 511:

Amend S. B. 511, on page 2, subparagraph (3) beginning on the 5th line thereof, which is designated by number as line 28 on said page, after the word "Affairs" delete the remainder of said sentence and paragraph and insert the words "or the Governor of the State of Alabama or the designee of either of them."

The adoption of the above and foregoing suggested Executive Amendment will remove my objections to this Bill.

Done this 3rd day of May, 1985.

Respectfully submitted,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Senator Denton, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 511. To amend Section 36-16-8(3) of the Code of Alabama 1975, relating to the disposition, transfer, assignment or entrustment of nonconsumable personal property to require the written permission of the Alabama Department of Economic and Community Affairs or his designee.

REGULAR SESSION
29th Day

1801

which said amendment is set out in the foregoing Message from the Governor, by a vote of

Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Hilliard	Smith (B)	
Amari	Denton	Horn	Smith (J)	
Bailey	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Corbett	Hand	Menton		—18

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 511, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Senators:	Denton	Horn	Parsons	
Amari	Dixon	Langford	Smith (B)	
Bailey	Drinkard	Little	Smith (J)	
Bennett	Ellis	Menton	Strong	
Covington	Hand	Mitchem	Teague	
deGraffenried	Hilliard			—21

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered the vote by which the House concurred in and adopted the Senate Amendment to the Bill:

H. 6. To raise the legal age for a person to attempt to purchase, to purchase, consume, possess or to transport alcoholic beverages, to exempt persons 20 years of age or older on the effective date of this act and to provide criminal penalties.

and has non-concurred in the Senate Amendment and request a Committee on Conference.

And the Speaker of the House has appointed as Conferees on the part of the House Reps. Smith, Britnell and Burke.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bailey, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 6, the title of which is set out in the foregoing Message from the House.

Yeas 23; Nays 1.

Yeas:

Senators:	Covington	Ellis	Menton	
Bailey	deGraffenried	Figures	Mitchem	
Bedford	Denton	Hand	Smith (B)	
Bedsole	Dial	Horn	Smith (J)	
Bennett	Dixon	Langford	Strong	
Corbett	Drinkard	Little	Teague	—23

Nay Senator Hilliard	—1
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And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Senators Drinkard, Hilliard, and Bailey.

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 194. To amend Sections 34-23-30, 34-23-32, 34-23-50, and 34-23-52, Code of Alabama 1975, which provide license fees established by the board of pharmacy, so as to provide further for said fees.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Covington	Ellis	Little	
Amari	Denton	Hand	Mitchem	
Barron	Dial	Hilliard	Smith (B)	
Bedsole	Dixon	Horn	Smith (J)	
Bennett	Drinkard	Langford	Teague	
Corbett				—20

Nays:	—0
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THE BILL:

H. 450. To amend H. 9, enacted as Act No. 85-125, enacted at the First Special Session of the 1985 Alabama Legislature, which amended various provisions of Chapter 2 of Title 14 of the Code of Alabama 1975 relating to the Alabama Corrections Institution Finance Authority, in order to authorize the Authority to sell its bonds by private sale; and to permit bonds of the Authority to be sold with a maximum term of 30 years.

was read a third time at length and passed.

Yeas 18; Nays 1.

Yeas:

Senators:	Corbett	Hilliard	Smith (B)	
Aldridge	Covington	Horn	Smith (J)	
Amari	Denton	Langford	Strong	
Bailey	Drinkard	Menton	Teague	
Bedsole	Hand	Mitchem		—18

Nay Senator Little	—1
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MOTION TO ADJOURN

Senator Denton moved that when the Senate adjourns today, it adjourn to meet again on Monday, May 20, 1985, at 9 o'clock A.M., which motion was adopted.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 344. To amend certain sections of Chapter 9, Article 11, of Title 41 of the Code of Alabama 1975 to provide that the executive committee of the commission may not be empowered to execute any contract for an amount in excess of \$100,000.00; to provide that the commission offer to its employees any benefits offered to employees of the state of Alabama; to provide that the commission shall establish, operate and maintain a state memorial park to honor Alabamians who participated in all armed conflicts of the United States; and to provide that the \$50,000.00 outstanding indebtedness to the Alabama State Docks Department be forgiven.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Parsons
Aldridge	Dial	Horn	Smith (B)
Bedsole	Drinkard	Langford	Smith (J)
Bennett	Ellis	Little	Strong
Corbett	Hand	Mitchem	Teague
Covington			—20

Nays: —0

THE BILL:

H. 600. To create the Alabama Manufactured Housing Commission; to express legislative intent to relieve the fire marshal division of the insurance department of certain duties; to provide for the functions, duties, powers, membership, compensation, terms of office, meetings and other business of the commission; to create a special revolving fund for the commission; to authorize the commission to promulgate rules and regulations and to enter contracts and perform specific duties relative to the standards for the construction of manufactured housing and buildings; and to provide that the functions, powers, authority and duties provided by law, specifically but not limited to Sections 24-5-1 through 24-5-14, 25-5-30 through 25-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975, and all books, records, supplies, pursuant to and under the authority of the aforesaid code sections through legislative budgetary authority and duties provided by law, specifically, but not limited to: Sections 24-5-1 through 24-5-14; 24-5-30 through 24-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975, and all books, records, supplies, equipment, documents, files, papers, materials, and personnel of the fire marshal's division subject to and authorized by, or under these various code sections and related thereto shall be transferred to the commission. To provide that funds in the amount of \$110,364.00 appropriated to the fire marshal's division for fiscal year 1985-1986 for those functions and purposes enumerated in the above code sections shall be transferred and appropriated to the commission. Also

transferred and appropriated to the commission are all funds received from contracts performed by the commission on or after October 1, 1985, pursuant to Section 24-5-13.1, Code of Alabama 1975, pertaining to mobile homes, manufactured housing and manufactured buildings.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 600, to-wit:

COMMITTEE AMENDMENT TO H. B. 600

Amend House Bill 600, in Section 3, Page 3, Line 8, by adding the following language:

"Of the three persons selected, one shall be a representative of the modular housing industry, one shall be a representative of the manufactured building industry, and one shall be a representative of the manufactured housing/mobile home industry. No employee of the Alabama Manufactured Housing Institute shall serve on the Alabama Manufactured Housing Commission as either a non-voting or voting member and they shall not be responsible for keeping the records of the Commission."

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Drinkard	Horn	Parsons
Aldridge	Ellis	Langford	Smith (B)
Bedford	Hand	Little	Smith (J)
Bennett	Hilliard	Menton	Strong
Covington	Holmes	Mitchem	Teague
Denton			

—20

Nays:

—0

Senator Mitchem requested and received permission to offer the following amendment to the Bill, H. B. 600, as amended, to-wit:

AMENDMENT TO H. B. 600, AS AMENDED

Amend House Bill No. 600, as amended,

I move to delete in its entirety the following language in Amended Section 5 and re-number accordingly:

"Nothing contained herein can prevent inspection and compliance with state, county or local fire marshals and/or county board municipal building inspections."

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Langford	Smith (B)
Aldridge	Denton	Little	Smith (J)
Bennett	Hand	Menton	Strong
Cooley	Hilliard	Mitchem	Teague
Covington	Horn	Parsons	

—18

Nays:

—0

REGULAR SESSION
29th Day

1805

And said Bill, H. B. 600, as thus amended, was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Parsons
Aldridge	Dial	Horn	Smith (B)
Amari	Drinkard	Langford	Smith (J)
Bennett	Ellis	Menton	Strong
Corbett	Hand	Mitchem	Teague
Covington			

—20

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 155. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Chiropractic Examiners as provided in Sections 34-24-140 through 34-24-172 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-24-140, 34-24-141, 34-24-161 and 34-24-162, so as to increase the membership and its composition; to authorize the board to employ certain investigators, attorneys or agents; to require the board to publish, at cost, a directory of chiropractors; to require issuances of licenses; to provide for reciprocal licensing standards; to provide for lost or changed-name licenses; and to provide for professional signs.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 452. To make appropriations for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1986.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 462. To make appropriations for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1986.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 453. To make appropriations for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1986.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 471. To make appropriations for the support and maintenance of the Tuskegee Institute for the fiscal year ending September 30, 1986.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 361. To make appropriations for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1986.

JOHN W. PEMBERTON,
Clerk.

REPORT FROM RULES

Senator Smith (J), B. I. R., H. B. 89, Rules reported favorably, adopted.

REGULAR SESSION
29th Day

1807

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Aldridge	Cabaniss	Goodwin	Mitchem
Amari	Corbett	Hand	Smith (B)
Bailey	Dial	Holmes	Smith (J)
Barron	Dixon	Horn	Strong
Bedford	Ellis	Little	Teague
Bedsole	Figures		

—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 89. To authorize and provide for the promotion of the production, marketing, use and sale of wheat, corn, grain sorghum, and oats and wheat, corn, grain sorghum, and oats products by research, education, advertising and other methods; and prescribing a method whereby wheat, corn, grain sorghum, and oat producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for non-assessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the wheat, corn, grain sorghum, and oats producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of wheat, corn, grain sorghum, and oats throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of wheat, corn, grain sorghum, and oats; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Senators:	deGraffenried	Hilliard	Parsons
Amari	Denton	Holmes	Smith (B)
Bennett	Drinkard	Langford	Smith (J)
Corbett	Ellis	Little	Strong
Covington	Hand	Menton	Teague

—19

Nays: —0

REPORT FROM RULES

Senator Smith (J), B. I. R., H. B. 88, Rules reported favorably, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton
Amari	Covington	Hand	Sanders
Barron	Denton	Holmes	Smith (B)
Bedford	Dial	Horn	Smith (J)
Bennett	Drinkard	Langford	Strong
Bishop	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 88. To propose an amendment to the Constitution of 1901, authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of wheat and other feed grains as defined and authorized by the Legislature.

was read a third time at length as required by the Constitution, and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	Bennett	Hilliard	Mitchem
Aldridge	Corbett	Holmes	Parsons
Amari	deGraffenried	Horn	Smith (B)
Bailey	Denton	Langford	Smith (J)
Barron	Foshee	Little	Strong
Bedford	Hand	Menton	Teague
Bedsole			

—24

Nays:

—0

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 262. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters until disposed of for the twenty-ninth legislative day only:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 58	Forests	8
H. B. 602	Forests	8
H. B. 1023	Alabama State Docks	40
H. B. 920	Downtown Redevelopment Auth.	62
H. B. 603	Ala. Indian Affairs Comm.	9

On motion of Senator Denton, the Resolution was adopted by the Senate.

SPECIAL ORDER
BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 58. To amend Section 9-13-82(a) of the Code of Alabama 1975, so as to provide for severance of forest products at an increased tax rate.

And said Bill, H. B. 58, was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Denton	Horn	Smith (B)
Barron	Ellis	Langford	Smith (J)
Bedsole	Foshee	Little	Strong
Corbett	Hand	Menton	Teague
deGraffenried	Holmes	Parsons	—18

Nays: —0

THE BILL:

H. 602. Relating to additional expenses of the Alabama Forestry Commission; to make a supplemental appropriation to the Alabama Forestry Commission for the fiscal year ending September 30, 1986, for salaries, operating expenses and equipment purchases of the Commission.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Senators:	Corbett	Hand	Parsons
Bailey	Covington	Holmes	Smith (B)
Barron	deGraffenried	Horn	Smith (J)
Bedford	Denton	Langford	Strong
Bedsole	Ellis	Little	Teague
Bennett	Foshee	Menton	—22

Nays: —0

THE BILL:

H. 1023. To amend Sections 40-13-5 and 40-13-6 of the Code of Alabama 1975, as amended, relating to the deposit and disbursement of the proceeds from certain coal severance taxes so as to provide that the Alabama State Docks Department may receive a portion of those proceeds under certain circumstances in order to pay expenses of operating and maintaining its coal handling facilities; to provide that proceeds of the tax be deposited in the state treasury to the credit of the Alabama State Docks Coal Handling Facilities Operating Expense Fund; to provide that, upon signing of a determination by the Director of the Alabama State Docks Department and the State Director of Finance to the effect that revenues from the Alabama State Docks Department's coal handling facilities for the ensuing six months will be insufficient to pay the anticipated operating and maintenance expenses of those facilities and to pay principal and interest during such six month

period on those bonds of the Alabama State Docks Department for payment of which said revenues have been pledged, the state treasurer will pay to the Department out of the aforesaid fund the lesser of the amount in the fund or the insufficiency, subject to certain limitations; to provide that any funds remaining in the aforesaid fund at the end of the fiscal year shall be paid into the general fund; and to provide for an effective date.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 1023, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 1023

A BILL TO BE ENTITLED AN ACT

To amend Sections 40-13-5, 40-13-6, and 40-13-8 of the Code of Alabama 1975, as amended, relating to the deposit and disbursement of the proceeds from certain coal severance taxes so as to provide that the Alabama State Docks Department may receive a portion of those proceeds under certain circumstances in order to pay expenses of operating and maintaining its coal handling facilities; to provide that, upon filing of a notification by the Director of the Alabama State Docks Department with the Director of Finance to the effect that revenues from the Alabama State Docks Department's coal handling facilities are anticipated to be insufficient to pay the expenses (exclusive of depreciation) incurred in operating and maintaining those facilities and to pay principal and interest that came due during such fiscal year on those bonds of the Alabama State Docks Department for payment of which said revenues have been pledged, the Director of Finance may authorize certain payments to the Department in amounts not to exceed the amount of the actual deficiency, computed as described in this Act and, to the extent such payments are so authorized, they are hereby appropriated to the Department; to provide that any moneys remaining in the Alabama State Docks Bulk Handling Facility Trust Fund, once the amounts provided for in this Act have been paid, shall be credited to the State General Fund; to provide further for the termination of said coal severance tax; and to provide for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-13-5 of the Code of Alabama 1975, as amended, is hereby amended to read as follows:

“§40-13-5. Deposit of proceeds; disbursement and appropriation of funds.

(a) The entire proceeds from the privilege or license tax levied by section 40-13-2 shall be deposited in the state treasury to the credit of the Alabama state docks bulk handling facility trust fund. The proceeds from the special handling charge provided for by Act No. 2306 of the 1971 regular session of the legislature shall be deposited in the state treasury to the credit of a fund to be created and known as the special handling charge fund.

(b) The amounts deposited into such funds shall be disbursed and are hereby appropriated to the extent necessary for such purpose, to pay at their respective maturities, or to redeem under the terms thereof, principal of and interest on any revenue bonds that may at any time be issued pursuant to authorization and any statute adopted at the 1971 regular session of the

Alabama legislature or at any other legislative session prior thereto for the purpose of constructing any seaport facility; provided, that amounts deposited into the special handling charge fund shall be first expended to the extent necessary for such purposes before any amounts are drawn from the Alabama state docks bulk handling facility trust fund.

(c) From the balance remaining in the special handling charge fund during each fiscal year there is hereby appropriated and there shall be paid by the state treasurer into a reserve fund or funds established for the bonds until there is on deposit an amount equal to the maximum principal and interest becoming due on the bonds in any one year; to the extent that the balance remaining in the special handling charge fund is inadequate to fully fund the reserve fund, the reserve fund shall be funded from the Alabama state docks bulk handling facility trust fund.

(d) ~~From the~~ The balance thereafter remaining in the Alabama state docks bulk handling facility trust fund during each fiscal year ~~a credit transfer~~ shall be ~~made~~ transferred as provided by section 40-13-6.

(e) The balance, if any, in the special handling charge fund is hereby appropriated and shall be used by the state treasurer to pay, at his discretion, principal and interest on the bonds in future years or to redeem portions of the bonds."

Section 2. Section 40-13-6 of the Code of Alabama 1975, as amended, is hereby amended to read as follows:

"§40-13-6. Further use and ~~Credit~~ of proceeds to state general fund; report of coal shipped through seaport facility.

In each fiscal year when the funds then on deposit in the special fund or funds created for retirement of the bonds equal the amount needed to pay all the principal and interest becoming payable on the bonds within the succeeding 12 months and the funds then on deposit in the reserve fund or funds created for the bonds equal the maximum principal and interest becoming due on the bonds in any one year, the severance tax proceeds remaining in the Alabama state docks bulk handling facility trust fund, shall be credited to the ~~treasury of the state general fund;~~ provided however, that if at the end of any fiscal year of the State, beginning with the fiscal year ending September 30, 1987, the Director of the Alabama State Docks Department shall have notified the Director of Finance in writing, at least five (5) days prior to the close of the fiscal year, that the revenues to be derived by the Alabama State Docks Department from the operations of its coal handling facilities for the then current fiscal year are anticipated to be insufficient to pay the aggregate of (a) the expenses (exclusive of depreciation) incurred in operating and maintaining said facilities during such fiscal year and (b) principal and interest that came due during such fiscal year on those bonds of the Alabama State Docks Department for payment of which said revenues have been pledged (which notification shall specify the amount of the expected deficiency), then the remaining severance tax proceeds shall remain in the Alabama State Docks Bulk Handling Facility Trust Fund and shall not be transferred to the State General Fund. Following the filing of such notification, a report shall be filed by the Director of the Alabama State Docks Department with the Director of Finance within thirty (30) days after the close of such fiscal year, supported by such documentation as may be deemed appropriate by the Director of Finance and attesting to the amount of the actual deficiency, computed as described above, incurred in the operation of said facilities during the immediately preceding fiscal year.

Upon receipt of said report and such other documentation from the said Department as the Director of Finance may specify, the Director of Finance, if satisfied as to the accuracy of the amount of the actual deficiency as reflected in the report and accompanying documentation, shall authorize to be transferred, and to the extent herein provided there is hereby in such event appropriated, to the Alabama State Docks Department an amount equal to the smallest of (i) the actual amount of any deficiency computed as described herein, (ii) the actual expenses (exclusive of depreciation) incurred in operating and maintaining the Alabama State Docks Department's coal handling facilities during the fiscal year immediately preceding the fiscal year during which such transfer is made or (iii) the balance contained in the Alabama State Docks Bulk Handling Facility Trust Fund as of the immediately preceding September 30. Any moneys remaining in the Alabama State Docks Bulk Handling Facility Trust Fund after such transfer to the Alabama State Docks Department shall be credited to the State General Fund.

The director of the Alabama state docks department shall file with the commissioner upon forms prescribed by him and at the time so designated by the commissioner a report stating the amount of coal shipped through the seaport facility, by whom it was shipped, the date of each shipment and such further information as the commissioner reasonably may require for the proper enforcement of the provisions of this section."

Section 3. Section 40-13-8 of the Code of Alabama 1975 is hereby amended to read as follows:

"§40-13-8. Termination of Tax.

The excise and privilege tax imposed by this chapter shall terminate upon the later of the redemption of and payment of all accrued interest on the bonds, as defined herein, or the final maturity of the bonds (excluding any bonds issued for the purpose of refunding any or all of the bonds then outstanding).

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Hand, said substitute was laid on the table.

Senator Hand then offered the following substitute for the Bill, H. B. 1023, to-wit:

SUBSTITUTE FOR H. B. 1023

SYNOPSIS: This bill amends Sections 40-13-5, 40-13-6 and 40-13-8 of the Code of Alabama 1975, as amended, relating to the deposit and disbursement of the proceeds from certain coal severance taxes so as to provide that the Alabama State Docks Department may use those proceeds under certain circumstances to pay expenses of operating and maintaining its coal handling facilities.

A BILL TO BE ENTITLED AN ACT

To amend Sections 40-13-5, 40-13-6, and 40-13-8 of the Code of Alabama 1975, as amended, relating to the deposit and disbursement of the proceeds

from certain coal severance taxes so as to provide that the Alabama State Docks Department may receive a portion of those proceeds under certain circumstances; to provide that, upon filing of a notification by the Director of the Alabama State Docks Department with the Director of Finance to the effect that revenues from the Alabama State Docks Department's coal handling facilities are anticipated to be insufficient to pay the expenses (exclusive of depreciation) incurred in operating and maintaining those facilities and to pay principal and interest that came due during such fiscal year on those bonds of the Alabama State Docks Department for payment of which said revenues have been pledged, the Director of Finance may authorize certain payments to the Department in amounts not to exceed the amount of the actual deficiency, computed as described in this Act and, to the extent such payments are so authorized, they are hereby appropriated to the Department; to provide that any moneys remaining in the Alabama State Docks Bulk Handling Facility Trust Fund, once the amounts provided for in this Act have been paid, shall be credited to the State General Fund; to provide further for the termination of said coal severance tax; and to provide for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-13-5 of the Code of Alabama 1975, as amended, is hereby amended to read as follows:

"§40-13-5. Deposit of proceeds; disbursement and appropriation of funds.

(a) The entire proceeds from the privilege or license tax levied by section 40-13-2 shall be deposited in the state treasury to the credit of the Alabama state docks bulk handling facility trust fund. The proceeds from the special handling charge provided for by Act No. 2306 of the 1971 regular session of the legislature shall be deposited in the state treasury to the credit of a fund to be created and known as the special handling charge fund.

(b) The amounts deposited into such funds shall be disbursed and are hereby appropriated to the extent necessary for such purpose, to pay at their respective maturities, or to redeem under the terms thereof, principal of and interest on any revenue bonds that may at any time be issued pursuant to authorization and any statute adopted at the 1971 regular session of the Alabama legislature or at any other legislative session prior thereto for the purpose of constructing any seaport facility; provided, that amounts deposited into the special handling charge fund shall be first expended to the extent necessary for such purposes before any amounts are drawn from the Alabama state docks bulk handling facility trust fund.

(c) From the balance remaining in the special handling charge fund during each fiscal year there is hereby appropriated and there shall be paid by the state treasurer into a reserve fund or funds established for the bonds until there is on deposit an amount equal to the maximum principal and interest becoming due on the bonds in any one year; to the extent that the balance remaining in the special handling charge fund is inadequate to fully fund the reserve fund, the reserve fund shall be funded from the Alabama state docks bulk handling facility trust fund.

(d) ~~From the~~ The balance thereafter remaining in the Alabama state docks bulk handling facility trust fund during each fiscal year ~~a credit transfer shall be made~~ transferred as provided by section 40-13-6.

(e) The balance, if any, in the special handling charge fund is hereby appropriated and shall be used by the state treasurer to pay, at his discretion,

principal and interest on the bonds in future years or to redeem portions of the bonds.”

Section 2. Section 40-13-6 of the Code of Alabama 1975, as amended, is hereby amended to read as follows:

“§40-13-6. Further use and Credit of proceeds to state general fund; report of coal shipped through seaport facility.

In each fiscal year when the funds then on deposit in the special fund or funds created for retirement of the bonds equal the amount needed to pay all the principal and interest becoming payable on the bonds within the succeeding 12 months and the funds then on deposit in the reserve fund or funds created for the bonds equal the maximum principal and interest becoming due on the bonds in any one year, the severance tax proceeds remaining in the Alabama state docks bulk handling facility trust fund, shall be credited to the treasury of the state general fund; provided however, that if at the end of any fiscal year of the State, beginning with the fiscal year ending September 30, 1987, the Director of the Alabama State Docks Department shall have notified the Director of Finance in writing, at least five (5) days prior to the close of the fiscal year, that the revenues to be derived by the Alabama State Docks Department from the operations of its coal handling facilities for the then current fiscal year are anticipated to be insufficient to pay the aggregate of (a) the expenses (exclusive of depreciation) incurred in operating and maintaining said facilities during such fiscal year and (b) principal and interest that came due during such fiscal year on those bonds of the Alabama State Docks Department for payment of which said revenues have been pledged (which notification shall specify the amount of the expected deficiency), then the remaining severance tax proceeds shall remain in the Alabama State Docks Bulk Handling Facility Trust Fund and shall not be transferred to the State General Fund. Following the filing of such notification, a report shall be filed by the Director of the Alabama State Docks Department with the Director of Finance within thirty (30) days after the close of such fiscal year, supported by such documentation as may be deemed appropriate by the Director of Finance and attesting to the amount of the actual deficiency, computed as described above, incurred in the operation of said facilities during the immediately preceding fiscal year. Upon receipt of said report and such other documentation from the said Department as the Director of Finance may specify, the Director of Finance, if satisfied as to the accuracy of the amount of the actual deficiency as reflected in the report and accompanying documentation, shall authorize to be transferred, and to the extent herein provided there is hereby in such event appropriated, to the Alabama State Docks Department an amount equal to the lesser of (i) the actual amount of any deficiency computed as described herein or (ii) the balance contained in the Alabama State Docks Bulk Handling Facility Trust Fund as of the immediately preceding September 30. Any moneys remaining in the Alabama State Docks Bulk Handling Facility Trust Fund after such transfer to the Alabama State Docks Department shall be credited to the State General Fund.

The director of the Alabama state docks department shall file with the commissioner upon forms prescribed by him and at the time so designated by the commissioner a report stating the amount of coal shipped through the seaport facility, by whom it was shipped, the date of each shipment and such further information as the commissioner reasonably may require for the proper enforcement of the provisions of this section.”

REGULAR SESSION
29th Day

1815

Section 3. Section 40-13-8 of the Code of Alabama 1975 is hereby amended to read as follows:

“§40-13-8. Termination of Tax.

The excise and privilege tax imposed by this chapter shall terminate upon the later of the redemption of and payment of all accrued interest on the bonds, as defined herein, or the final maturity of the bonds (excluding any bonds issued for the purpose of refunding any or all of the bonds then outstanding).

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Ellis	Horn	Parsons	
Bedsole	Goodwin	Langford	Smith (B)	
Bennett	Hand	Little	Smith (J)	
Corbett	Hilliard	Menton	Strong	
Denton	Holmes	Mitchem	Teague	—19

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 487. To provide a salary increase by the state for the official court reporters who are not covered by the state merit system and to provide an effective date and to limit cost of living increases for court reporters who are affected by this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 95. To amend Sections 34-9-1, 34-9-9, 34-9-11, 34-9-17, 34-9-18, 34-9-19, 34-9-22, 34-9-25, 34-9-26, 34-9-27, 34-9-29, 34-9-41, and 34-9-43 of the Code of Alabama 1975, relating to dentists and dental hygienists, so as to regulate further the practice of dentistry and dental hygiene; to regulate further the Board of Dental Examiners; to regulate the administration of anesthesia by dentists; and to provide sanctions.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 1023

The Senate proceeded to further consideration of the Bill, H. B. 1023, as amended.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 7

S. B. 29

S. B. 86

S. B. 87

S. B. 276

S. B. 286

S. B. 287

S. B. 492

Delivered to the Governor, May 9, 1985, at 3:40 P.M.

S. B. 285

S. B. 707

S. B. 35

Delivered to the Governor, May 9, 1985, at 11 o'clock P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

The hour of midnight having arrived, in accordance with Motion heretofore adopted, and pending further consideration of H. B. 1023, the Senate adjourned until Monday, May 20, 1985, at 9 o'clock A.M.

THIRTIETH LEGISLATIVE DAY

MONDAY, MAY 20, 1985

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

PRAYER

The Session was opened with prayer by the Reverend Lynn Matlack, Pastor, Montgomery Christian Fellowship, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Jenny Martin, Jeff Davis High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Cabaniss	Ellis	Little	
Aldridge	Cooley	Figures	Menton	
Amari	Corbett	Foshee	Mitchem	
Bailey	Covington	Goodwin	Parsons	
Barron	deGraffenried	Hand	Sanders	
Bedford	Denton	Hilliard	Smith (B)	
Bedsole	Dial	Holmes	Smith (J)	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	—35

JOURNAL

On motion of Senator Goodwin, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

BILLS ON THIRD READING

THE BILL:

H. 136. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 13th Judicial Circuit.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hand	Parsons	
Aldridge	Denton	Hilliard	Sanders	
Barron	Dial	Holmes	Smith (B)	
Bedford	Drinkard	Little	Smith (J)	
Bedsole	Figures	Menton	Strong	
Bennett	Foshee	Mitchem	Teague	
Cooley	Goodwin			—25

Nays:

—0

THE BILL:

H. 706. To alter or rearrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little	
Bailey	Corbett	Goodwin	Menton	
Barron	Denton	Hand	Mitchem	
Bedford	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Horn	Strong	
Bishop	Ellis	Langford	Teague	
Cabaniss	Figures			—25

Nays: —0

THE BILL:

H. 546. To provide for the filing for record and the preservation of all orders and judgments made and entered by any judge of the circuit court of the 20th Judicial Circuit of Alabama, and to provide that such judgments or orders shall have the same force and effect as minutes of the circuit court of said circuit prior to the passage and approval of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Ellis	Horn	
Aldridge	Cabaniss	Figures	Little	
Amari	Cooley	Foshee	Menton	
Bailey	Corbett	Goodwin	Parsons	
Barron	Denton	Hand	Strong	
Bedford	Dial	Holmes	Teague	
Bedsole	Dixon			—25

Nays: —0

THE BILL:

H. 547. Relating to the 20th Judicial Circuit of Alabama; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

was read a third time at length and passed.

REGULAR SESSION
30th Day

1819

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Little	
Aldridge	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Sanders	
Bedford	Dial	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Ellis			—25

Nays: —0

THE BILL:

H. 581. Relating to Lawrence County, to amend Act 79-86, H. 50, 1979 Regular Session (Acts of 1979, p. 110), so as to grant exclusive control of the pistol permit fee fund to the sheriff.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Little	
Aldridge	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Ellis			—25

Nays: —0

THE BILL:

H. 614. Relating to Etowah County ; to provide for the filing for record and the preservation of all final orders and judgments of the court in criminal cases made by any judge of the circuit court.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Menton	
Aldridge	Corbett	Foshee	Mitchem	
Amari	Denton	Hand	Smith (B)	
Bailey	Dial	Holmes	Smith (J)	
Barron	Dixon	Horn	Strong	
Bedford	Drinkard	Little	Teague	
Bishop	Ellis			—25

Nays: —0

THE BILL:

H. 617. Relating to Lauderdale County; to amend further Section 2 of Act No. 88, S. 181, 1959 Regular Session (Acts 1959, p. 509), which act

provides for the county law library, so as to provide further for the collection of court costs for the maintenance of said library.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Mitchem	
Aldridge	Covington	Hand	Parsons	
Amari	Denton	Holmes	Smith (B)	
Barron	Dial	Horn	Smith (J)	
Bennett	Ellis	Little	Strong	
Bishop	Figures	Menton	Teague	
Cooley	Foshee			—25

Nays:

—0

THE BILL:

H. 896. To alter or rearrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama; providing for an advisory referendum on the alteration of the said boundary lines.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays:

—0

THE BILL:

H. 782. Relating to St. Clair County; abolishing the office of constable in such county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Little	
Aldridge	Corbett	Foshee	Menton	
Amari	Denton	Goodwin	Sanders	
Bailey	Dial	Hand	Smith (B)	
Barron	Dixon	Holmes	Smith (J)	
Bennett	Drinkard	Horn	Strong	
Bishop	Ellis			—25

Nays:

—0

REGULAR SESSION
30th Day

1821

THE BILL:

H. 807. Relating to Elmore County; to amend Act 84-656, H. B. 973, 1984 Regular Session, pertaining to the election of county commissioners, so as to provide for said election by districts.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Hand	Mitchem
Bailey	Denton	Holmes	Sanders
Barron	Dial	Horn	Smith (B)
Bedsole	Dixon	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays:

—0

THE BILL:

H. 810. Relating to Lawrence County; providing for a board of trustees for the Jesse Owens Memorial Park in said county; providing for the terms of the members of such board and prescribing their duties and responsibilities.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little
Aldridge	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Teague
Bennett	Ellis		

—25

Nays:

—0

THE BILL:

H. 811. Relating to Lawrence County; allowing the Department of Conservation and Natural Resources to regulate the use of dogs and/or buck shot in shotguns in deer hunting outside of wildlife management hunting areas and repealing Act No. 80-349, H. 972, 1980 Regular Session.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Denton	Hand	Parsons
Barron	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bennett	Drinkard	Little	Teague
Bishop	Ellis		

—25

Nays:

—0

THE BILL:

H. 812. Relating to Lawrence County; to provide a procedure for handling cases involving invalid personal checks given for licenses, and the voiding of such licenses; and to repeal Act No. 79-399, H. 618, 1979 Regular Session.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Aldridge	Corbett	Goodwin	Mitchem	
Amari	Denton	Hand	Parsons	
Bailey	Dial	Holmes	Sanders	
Bedsale	Dixon	Horn	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays: —0

THE BILL:

H. 813. Relating to Lawrence County; to create a motor vehicle license division within the tax assessor's office for the issuance of motor vehicle licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of motor vehicle licenses by the tax assessor's office and to transfer certain duties now performed by the probate judge and tax collector to said tax assessor.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Little	
Aldridge	Cabaniss	Figures	Menton	
Amari	Cooley	Foshee	Mitchem	
Bailey	Corbett	Hand	Parsons	
Barron	Denton	Holmes	Smith (J)	
Bedsale	Dial	Horn	Teague	
Bennett	Dixon			—25

Nays: —0

THE BILL:

H. 814. Relating to Lawrence County; providing for a supplemental expense allowance for the court reporter of the Thirty-sixth Judicial Circuit; and providing such expense allowance shall be paid from the county treasury.

was read a third time at length and passed.

REGULAR SESSION
30th Day

1823

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little
Aldridge	Cooley	Foshee	Menton
Amari	Denton	Goodwin	Mitchem
Bailey	Dial	Hand	Smith (B)
Barron	Dixon	Holmes	Smith (J)
Bedsole	Drinkard	Horn	Teague
Bennett	Ellis		

—25

Nays: —0

THE BILL:

H. 852. Relating to Marshall County; to amend Section 23, of Act No. 633, H. 1248, 1976 Regular Session of the Alabama Legislature (1976 Acts, p. 870), entitled, "An Act Relating to Marshall County; abolishing the Commission on Government and Finance of Marshall County and creating in lieu thereof the Marshall County Commission; providing for the election of the members of the commission, prescribing their qualifications, terms, and compensation; providing for the organization, powers, duties, jurisdiction and function of the commission and the authority and duty of its members," so as to provide further for the powers, duties, jurisdiction and function of the Marshall County Commission.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Smith (B)
Barron	Dial	Holmes	Smith (J)
Bedsole	Dixon	Horn	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

THE BILL:

H. 853. Relating to Marshall County; creating the Marshall County Commission Reapportionment Study Committee.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Mitchem
Amari	Corbett	Hand	Parsons
Bailey	Denton	Holmes	Sanders
Bedford	Dial	Horn	Smith (B)
Bedsole	Dixon	Little	Smith (J)
Bennett	Ellis	Menton	Teague
Cabaniss	Figures		

—25

Nays: —0

THE BILL:

H. 645. Relating to Houston County; providing an appropriation from the county general funds or any available funds in the county treasury for the purposes of clean-up and removal of debris from fire damage to certain private property for a specific period retroactively to October 1, 1979; and providing relief to the Houston County Commission for causing its road department to clean-up such debris in error.

WHEREAS, fire damage to private property can create a severe safety hazard and the county commission has certain responsibility to protect its citizens; now therefore,

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Figures	Little	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Hand	Parsons	
Barron	deGraffenried	Holmes	Sanders	
Bedford	Denton	Horn	Smith (J)	
Bennett	Dixon	Langford	Teague	
Cabaniss	Ellis			—25

Nays: —0

THE BILL:

H. 579. Relating to Lawrence County; providing further for the compensation of election officials.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Figures	Menton	
Aldridge	Cabaniss	Foshee	Mitchem	
Amari	Cooley	Hand	Smith (B)	
Bailey	Denton	Holmes	Smith (J)	
Barron	Dial	Horn	Strong	
Bedford	Dixon	Little	Teague	
Bedsole	Ellis			—25

Nays: —0

THE BILL:

H. 580. Relating to Lawrence County; providing certain additional compensation for the members of the board of registrars to be paid from the county general fund.

was read a third time at length and passed.

REGULAR SESSION
30th Day

1825

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton
Aldridge	Cooley	Goodwin	Mitchem
Amari	Denton	Hand	Smith (B)
Bailey	Dial	Holmes	Smith (J)
Barron	Dixon	Horn	Strong
Bedford	Ellis	Little	Teague
Bennett	Figures		

—25

Nays: —0

THE BILL:

H. 821. To provide for supplemental expense allowances for the district attorney of the 36th judicial circuit and the district judge of Lawrence County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Ellis	Little
Aldridge	Cabaniss	Figures	Menton
Amari	Cooley	Foshee	Mitchem
Bailey	Denton	Goodwin	Sanders
Barron	Dial	Hand	Smith (B)
Bedford	Dixon	Holmes	Teague
Bedsole	Drinkard		

—25

Nays: —0

THE BILL:

H. 830. Relating to Lawrence County; providing a certain expense allowance for the county superintendent of education.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Figures	Little
Aldridge	Cabaniss	Foshee	Menton
Amari	Cooley	Goodwin	Mitchem
Bailey	Denton	Hand	Sanders
Barron	Dial	Holmes	Smith (B)
Bedford	Dixon	Horn	Teague
Bedsole	Drinkard		

—25

Nays: —0

THE BILL:

H. 1017. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Figures	Mitchem	
Aldridge	Cabaniss	Foshee	Parsons	
Amari	Cooley	Holmes	Sanders	
Bailey	Denton	Horn	Smith (B)	
Barron	Dial	Little	Smith (J)	
Bedford	Dixon	Menton	Teague	
Bedsole	Drinkard			—25

Nays: —0

THE BILL:

H. 949. Relating to Winston County; authorizing the levy of an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Drinkard	Holmes	
Aldridge	Cabaniss	Ellis	Little	
Amari	Cooley	Figures	Menton	
Bailey	Corbett	Foshee	Mitchem	
Barron	Covington	Goodwin	Parsons	
Bedford	deGraffenried	Hand	Smith (B)	
Bedsole	Dial			—25

Nays: —0

THE BILL:

H. 906. To amend Section 16-48-12, Code of Alabama 1975, which provides for the duties of the police officers at Auburn University, so as to provide further for the powers of said officers.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little	
Aldridge	Corbett	Goodwin	Menton	
Bedford	Denton	Hand	Mitchem	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Bishop	Drinkard	Langford	Strong	
Cabaniss	Ellis			—25

Nays: —0

THE BILL:

H. 902. Proposing an amendment to the Constitution of Alabama, 1901, relating to school district tax for the City of Hartselle, Morgan County,

REGULAR SESSION
30th Day

1827

which shall become valid as a part of the Constitution when all requirements of Amendment 425 of the Constitution of Alabama of 1901 are fulfilled.

was read a third time at length as required by the Constitution, and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Little
Aldridge	Cabaniss	Figures	Menton
Amari	Cooley	Hand	Mitchem
Barron	Denton	Holmes	Parsons
Bedford	Dial	Horn	Smith (B)
Bedsole	Dixon	Langford	Teague
Bennett	Drinkard		

—25

Nays: —0

BILLS INDEFINITELY POSTPONED

On motion of Senator Denton, further consideration of the Bills, H. B.'s 1003 and 997, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 995. Relating to Jackson County and the alternative method of issuing license tags for motor vehicles and fees therefor; amending Section 5 of Act No. 80-453, S. 503, Regular Session 1980, (Acts 1980, p. 707), relating to the functions of the county commission in preparing and mailing out applications for such tags, so as to provide that the county commission may set a fee for the actual costs involved in such duties.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little
Aldridge	Cooley	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Denton	Hand	Sanders
Barron	Dial	Holmes	Smith (B)
Bedford	Dixon	Horn	Teague
Bedsole	Ellis		

—25

Nays: —0

THE BILL:

H. 898. Relating to Lowndes County; to authorize the county board of education to appoint the superintendent of education for the county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Little	
Aldridge	Cabaniss	Figures	Menton	
Amari	Cooley	Foshee	Mitchem	
Bailey	Corbett	Hand	Parsons	
Barron	Denton	Holmes	Sanders	
Bedford	Dial	Horn	Teague	
Bedsole	Drinkard			—25

Nays: —0

THE BILL:

H. 899. Relating to Lowndes County; to amend Section 2 of Act No. 83-425, S. 360, of the 1983 Regular Session (Acts 1983, p. 604), relating to the distribution of the beer tax levied by Act No. 82-344, H. 165, Regular Session 1982, (Acts 1982, p. 473), so as to provide further for the distribution thereof.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Bailey	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Sanders	
Bedsole	Ellis	Langford	Smith (B)	
Bennett	Figures	Little	Teague	
Bishop	Foshee			—25

Nays: —0

THE BILL:

H. 816. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Little	
Aldridge	Cooley	Figures	Menton	
Amari	Corbett	Foshee	Mitchem	
Bailey	Covington	Goodwin	Parsons	
Barron	Denton	Hand	Smith (B)	
Bedsole	Dial	Holmes	Teague	
Bennett	Dixon			—25

Nays: —0

THE BILL:

H. 841. Relating to Pickens County; to authorize the county board of education to provide for the substitution of other books or texts for the

REGULAR SESSION
30th Day

1829

textbooks on the list of state-approved or state-adopted textbooks for use in the schools of the county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Little
Aldridge	Cabaniss	Foshee	Menton
Amari	Cooley	Goodwin	Mitchem
Barron	Corbett	Hand	Sanders
Bedford	Denton	Holmes	Smith (B)
Bedsole	Dixon	Horn	Teague
Bennett	Ellis		

—25

Nays: —0

THE BILL:

H. 900. Relating to Lowndes County; creating a districting commission to establish district lines for the Lowndes County Commission and Lowndes County board of education; providing for the appointment of the members of the districting commission; providing for the number of districts; providing for the composition of the Lowndes County board of education and Lowndes County Commission; and providing for election of members of the board of education and county commission from single-member districts.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Hand	Menton
Amari	Denton	Hilliard	Mitchem
Bailey	Dial	Holmes	Parsons
Bedford	Dixon	Horn	Sanders
Bedsole	Drinkard	Langford	Strong
Bennett	Ellis	Little	Teague
Cabaniss	Figures		

—25

Nays: —0

THE BILL:

H. 864. Relating to Mobile County; altering, rearranging and extending the boundary lines and corporate limits of the City of Mobile.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Little
Bailey	Covington	Goodwin	Menton
Barron	Denton	Hand	Sanders
Bedford	Dial	Hilliard	Smith (B)
Bedsole	Drinkard	Holmes	Strong
Bishop	Ellis	Horn	Teague
Cooley	Figures		

—25

Nays: —0

THE BILL:

H. 954. To amend Act No. 81-446, H. 679, 1981 Regular Session, entitled, "An Act Relating to Mobile County; to provide further for the compensation of election employees and officers," so as to provide further for said compensation.

was taken up.

The Standing Committee on Local Legislation No. 3 reported the following amendment to the Bill, H. B. 954, to-wit:

COMMITTEE AMENDMENT TO H. B. 954

Amend House Bill 954 on page 1, line 23 after the word "inspectors" by adding the following:

“, fifty-five dollars (\$55.00) for Chief Clerks or Deputy Inspectors,”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Barron	Denton	Hand	Parsons	
Bedford	Dial	Hilliard	Sanders	
Bedsole	Drinkard	Holmes	Strong	
Bishop	Ellis	Horn	Teague	
Cooley	Figures			—25

Nays: —0

And said Bill, H. B. 954, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Little	
Bailey	deGraffenried	Goodwin	Menton	
Barron	Denton	Hand	Parsons	
Bedford	Dial	Hilliard	Sanders	
Bedsole	Drinkard	Holmes	Strong	
Bishop	Ellis	Horn	Teague	
Cooley	Figures			—25

Nays: —0

RESOLUTION

Senator Mitchem offered the following Senate Joint Resolution, to-wit:

S. J. R. 263. DECLARING THE WEEK OF JUNE 2-8, 1985, ALABAMA POULTRY WEEK.

WHEREAS, The poultry industry is Alabama's largest farm industry, with gross farm receipts in excess of \$700 million annually, or more than 30 percent of the total agricultural income in Alabama; and

REGULAR SESSION
30th Day

1831

WHEREAS, This industry, through its wholesome products and the thousands of jobs it creates for the citizens of this state, adds much to the health, welfare and economic stability of Alabama; and

WHEREAS, Alabama ranks third in the nation in broiler production and tenth in the production of eggs; and

WHEREAS, Herman McElrath of Albertville, Alabama, has served with dedication and distinction as Chairman of the Board of the Alabama Poultry & Egg Association, the cornerstone of this state's poultry industry; and

WHEREAS, It is proper to publicize to the general public the attributes of this major Alabama industry; and

WHEREAS, More than 2,000 members and supporters of the Alabama Poultry & Egg Association will meet in Birmingham, June 7-8, 1985, to celebrate the 33rd Annual Alabama Poultry & Egg Convention; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the week of June 2-8, 1985, is hereby declared "ALABAMA POULTRY WEEK."

On motion of Senator Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1075. Relating to Dale County; providing further for voter reidentification in such county; providing for additional periods of such registration retroactively to March 1, 1985; providing for a termination date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Horn
Amari	Cooley	Figures	Little
Bailey	Covington	Foshee	Menton
Barron	Denton	Goodwin	Mitchem
Bedford	Dial	Hand	Parsons
Bedsole	Dixon	Holmes	Sanders
Bennett	Drinkard		

—25

Nays: —0

THE BILL:

H. 707. To alter or rearrange the boundary lines of the Town of Webb, Houston County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Houston County, Alabama.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 707, to-wit:

COMMITTEE AMENDMENT TO H. B. 707

On page 1, on line 29, delete the language "R23E" and insert in lieu thereof:

R28E

On page 2, on line 3, after the language "line of Section 3;" insert:
thence west to the 1/2 section line of Section 3;

On page 2, on line 23, delete the language "11/4" and insert in lieu thereof:

1/4

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Menton	
Amari	Denton	Hand	Mitchem	
Bailey	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Smith (B)	
Bedford	Ellis	Langford	Strong	
Bedsole	Figures	Little	Teague	
Cabaniss	Foshee			—25

Nays: —0

And said Bill, H. B. 707, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little	
Amari	Corbett	Goodwin	Menton	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Strong	
Bedsole	Ellis	Langford	Teague	
Bennett	Figures			—25

Nays: —0

THE BILL:

H. 1011. Relating to Houston County; levying an additional ad valorem tax in the county to be deposited in the county general fund to be expended for industrial development and rural fire protection upon referendum approval of such levy by the qualified electors of the county.

was read a third time at length and passed.

REGULAR SESSION
30th Day

1833

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Little
Amari	Cooley	Goodwin	Menton
Bailey	Corbett	Hand	Mitchem
Barron	Denton	Holmes	Parsons
Bedford	Dial	Horn	Sanders
Bedsole	Dixon	Langford	Strong
Bennett	Ellis		

—25

Nays:

—0

THE BILL:

H. 1074. Relating to Dale County; to provide for an increase in the salary of the tax assessor and tax collector; and to provide for an effective date of October 1, 1985.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little
Bailey	Covington	Hand	Menton
Barron	Denton	Hilliard	Mitchem
Bedford	Dial	Holmes	Sanders
Bedsole	Dixon	Horn	Strong
Bennett	Ellis	Langford	Teague
Bishop	Figures		

—25

Nays:

—0

THE BILL:

H. 3. Relating to Etowah County; to provide further for the election of the members of the county board of education; and to provide a referendum and to make effective upon the approval of certain qualified electors at the next county or statewide election.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Horn
Amari	Cooley	Foshee	Little
Bailey	Denton	Goodwin	Menton
Bedford	Dial	Hand	Parsons
Bedsole	Dixon	Hilliard	Smith (B)
Bennett	Drinkard	Holmes	Smith (J)
Bishop	Ellis		

—25

Nays:

—0

THE BILL:

H. 1065. Relating to the Sixteenth Judicial Circuit; providing for supplemental allowance, payable from the county general fund, for the circuit

clerk of such circuit; and repealing conflicting laws, relating to the compensation of the circuit clerk of the said judicial circuit; providing that such allowance shall be calculated on a certain percentage of the state compensation for such official; and providing for an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Figures	Little	
Amari	Covington	Foshee	Menton	
Bailey	deGraffenried	Goodwin	Mitchem	
Barron	Denton	Hand	Smith (B)	
Bedsole	Dial	Hilliard	Smith (J)	
Bennett	Drinkard	Holmes		
Cooley	Ellis	Horn		—25

Nays: —0

THE BILL:

H. 1059. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

was taken up.

Senator Smith (B) offered the following substitute for the Bill, H. B. 1059, to-wit:

SUBSTITUTE FOR H. B. 1059

A BILL TO BE ENTITLED AN ACT

Relating to Madison County, to further regulate the compensation of the board of registrars, by amending Act No. 948, H. 2007, Regular Session 1973, (Acts 1973, p. 1458).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 948, H. 2007, Regular Session 1973, (Acts 1973, p. 1458), is hereby amended to read as follows:

“Section 1. In addition to the amount paid by the state to members of the Madison County board of registrars, the county commission shall be authorized to provide for an additional amount to be paid by the county general fund. Such additional amount shall be within the discretion of the commission, and the commission shall adopt a formal resolution each time such additional county supplement is changed.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

REGULAR SESSION
30th Day

1835

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Menton
Barron	Denton	Hand	Mitchem
Bedford	Dial	Hilliard	Parsons
Bedsole	Dixon	Holmes	Sanders
Bennett	Ellis	Horn	Smith (B)
Cooley	Figures	Little	Smith (J)
Covington	Foshee		

—25

Nays: —0

And said Bill, H. B. 1059, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Hilliard	Parsons
Bailey	Denton	Holmes	Sanders
Barron	Ellis	Horn	Smith (B)
Bedford	Figures	Little	Smith (J)
Bedsole	Foshee	Menton	Strong
Bennett	Goodwin	Mitchem	Teague
Cooley	Hand		

—25

Nays: —0

THE BILL:

H. 1014. To propose an amendment to the Constitution of Alabama of 1901 to repeal certain exemptions authorized by law on that portion of any local ad valorem taxes levied in Madison County that upon collection is earmarked for public school purposes.

was read a third time at length as required by the Constitution, and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Little
Aldridge	Corbett	Goodwin	Menton
Bailey	Dial	Hand	Mitchem
Barron	Dixon	Holmes	Sanders
Bedford	Drinkard	Horn	Smith (B)
Bennett	Ellis	Langford	Smith (J)
Bishop	Figures		

—25

Nays: —0

UNFINISHED BUSINESS
BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 1023. To amend Sections 40-13-5 and 40-13-6 of the Code of Alabama 1975, as amended, relating to the deposit and disbursement of the proceeds from certain coal severance taxes so as to provide that the Alabama State Docks Department may receive a portion of those proceeds under certain circumstances in order to pay expenses of operating and maintaining its coal handling facilities; to provide that proceeds of the tax be deposited in the state treasury to the credit of the Alabama State Docks Coal Handling Facilities Operating Expense Fund; to provide that, upon signing of a determination by the Director of the Alabama State Docks Department and the State Director of Finance to the effect that revenues from the Alabama State Docks Department's coal handling facilities for the ensuing six months will be insufficient to pay the anticipated operating and maintenance expenses of those facilities and to pay principal and interest during such six month period on those bonds of the Alabama State Docks Department for payment of which said revenues have been pledged, the state treasurer will pay to the Department out of the aforesaid fund the lesser of the amount in the fund or the insufficiency, subject to certain limitations; to provide that any funds remaining in the aforesaid fund at the end of the fiscal year shall be paid into the general fund; and to provide for an effective date.

as amended by the Hand substitute, which said substitute is set out in the Journal of the Senate for the Twenty-Ninth Legislative Day.

And said Bill, H. B. 1023, as amended by the substitute, was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Figures	Little
Bailey	Covington	Goodwin	Menton
Bedford	Denton	Hand	Mitchem
Bedsole	Dial	Hilliard	Smith (B)
Bennett	Dixon	Holmes	Strong
Cabaniss	Ellis	Langford	Teague
Cooley			—24

Nays: —0

THE BILL:

H. 163. Relating to the Alabama Uniform Certificate of Title and Antitheft Act; to amend Section 32-8-41, Code of Alabama 1975, so as to eliminate the requirement of the state department of revenue to issue a nontransferable duplicate certificate of title for mailing to the owner to serve as a permit for the operation of a motor vehicle; and to amend Section 32-8-38, Code of Alabama 1975, so as to provide that the owner's permit copy of the application for certificate of title be retained by the owner as a nonnegotiable document as evidence of ownership and as a permit for the operation of a motor vehicle in order to eliminate the use of a form that duplicates the effects of another form.

was read a third time at length and passed.

REGULAR SESSION
30th Day

1837

Yeas 26; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Menton
Aldridge	Cooley	Foshee	Mitchem
Bailey	Corbett	Goodwin	Parsons
Bedford	Covington	Hand	Smith (B)
Bedsole	Denton	Holmes	Strong
Bennett	Dial	Langford	Teague
Bishop	Dixon	Little	

—26

Nays:

—0

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 264. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the 30th legislative day of the 1985 Regular Session only:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
HB 649	Local Government Capital Imp., cont. upon rat. of AL Heritage Trust Fund	9
HB 820	Sunshine Law, open meetings	51
HB 327	Real Estate Commission	4
HB 771	Transient Merchants	49
HB 667	Interstate Corr. Compact	37

On motion of Senator Bishop, the Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 649. To create, contingent upon ratification by the qualified electors of the State of the amendment to the Constitution of Alabama of 1901 proposed by Act 85-79, H. B. 6, of the Special Session of the Legislature of Alabama that convened on January 23, 1985, the Local Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among local governments; and to provide for the uses to which such moneys shall be put.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 649, to-wit:

COMMITTEE SUBSTITUTE FOR HB 649

**A BILL
TO BE ENTITLED
AN ACT**

To create, contingent upon ratification by the qualified electors of the State of the amendment to the Constitution of Alabama of 1901 proposed by Act 85-79, H. B. 6, of the Special Session of the Legislature of Alabama that convened on January 23, 1985, the Local Government Capital Improvement Fund; to make certain annual appropriations to such fund from the General Fund of the State based upon the amounts of income from the investment of certain moneys derived by the State from the leasing of rights in and royalty payments from offshore oil, gas and other hydrocarbon minerals; to provide for the distribution of such appropriations among local governments; and to provide for the uses to which such moneys shall be put.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Short Title. This Act may be cited as the "Local Government Capital Improvement Act".

Section 2. Legislative Findings and Declaration of Purpose. It is the desire of the State to assist in the restoration and improvement of local government buildings, bridges, roads, streets and other facilities, and to promote the health, safety and public welfare of the citizens of the State. The making available in the manner provided in this Act of appropriated moneys to assist the financing of much needed capital improvement projects will assist local government services and promote the welfare and prosperity of the people of the State.

Section 3. Definitions. As used in this Act, the following words and phrases shall have the following respective meanings:

"Fiscal Year" means the fiscal year of the State as may from time to time be provided by law.

"Fund" means the "Local Government Capital Improvement Fund"

"Fund Capital" means all assets of the "Fund".

"State" means the State of Alabama.

"Trust Fund" means "The Alabama Trust Fund" created by the amendment to the Constitution of Alabama of 1901 proposed by Act 85-79 of the Special Session of the Legislature of Alabama that convened on January 23, 1985.

"Trust Income" means the net income received by the State, subsequent to the transfer of the initial trust capital by the State Treasurer to the board of trustees of the trust fund, from the investment and reinvestment of all assets of the trust fund, determined in accordance with the provisions of the amendment to the Constitution of Alabama of 1901 proposed by Act 85-79 of the Special Session of the Legislature of Alabama that convened on January 23, 1985. "Trust Income" does not include income which becomes part of the trust capital of the trust fund.

Section 4. Fund Created. For the continuing benefit of the State of Alabama and the citizens thereof, there is hereby created the "Local Government Capital Improvement Fund" which shall be funded and administered in accordance with the provisions of this Act.

Section 5. Appropriations. Beginning October 1, 1985, in addition to all other appropriations heretofore or hereafter made there is hereby annually appropriated from the general fund of the State to the Local Government Capital Improvement Fund an amount equal to ten percent (10%) of the trust income at such time as the trust income received by the State in the preceding fiscal year equals or exceeds fifty million dollars (\$50,000,000).

Section 6. Distribution of Fund Capital. The fund capital shall be divided fifty percent (50%) to the counties of the State and fifty percent (50%) to the incorporated municipalities of the State and shall be paid on January 2 of the fiscal year for which each annual appropriation is made as follows:

(1) Part of the funds to be paid to counties that is equal to 45.45 percent of the total of such portion shall be allocated equally among the 67 counties of the State; and the entire residue of the portion to be paid to counties, being an amount equal to 54.55 percent of such portion, shall be allocated among the 67 counties of the State on the basis of the ratio of the population of each county to the total population of the State according to the then next preceding federal decennial census or, prior to the effective date of the 1990 decennial census, any special federal census held in any county subsequent to the effective date of the 1980 federal decennial census and prior to the adoption hereof. Such funds shall only be used by counties for the following purposes:

(A) public buildings; counties may expend such funds for the construction, furnishing, equipping and renovation of public buildings including, without limitation, jails, courthouses and courthouse annexes, juvenile facilities, and paying rentals to public corporations for the use of public buildings. Such funds may also be expended for the purpose of purchasing land for public buildings.

(B) solid waste; counties may expend such funds for the purchase of land for sanitary landfills, the purchase of solid waste handling and disposal equipment including collection vehicles and landfill compaction equipment, and other solid waste handling and disposal equipment and/or facilities.

(C) public utilities; counties may expend such funds for public water and waste water treatment facilities and drainage facilities. Such expenditures may include the purchase of land and rights-of-way, and the purchase of equipment and supplies necessary for the installation and maintenance of such public facilities.

(D) roads and bridges; up to 50 percent of the funds received by counties may be expended for the construction, maintenance, reconstruction, restoration or resurfacing of county roads and bridges.

(E) bonds and warrants; counties may expend such funds for the payment of any valid obligation of a county that is evidenced by bonds, notes, warrants or other instruments now or hereafter authorized by law to be issued for any of the purposes enumerated in clauses (A), (B), (C), and (D) of this paragraph.

(2) The portion of fund capital to be paid to incorporated municipalities shall be allocated annually as follows:

(A) each incorporated municipality in the State shall receive five hundred dollars (\$500.00); and

(B) the residue of the portion to be paid to the incorporated municipalities in the State shall be distributed among the incorporated municipalities in the State on the basis of the ratio of the population of each such municipality to the total population of all the incorporated municipalities in the State according to the then next preceding federal decennial census, or in the case of a municipality incorporated subsequent to the said federal decennial census, the official census taken upon incorporation.

Each municipality shall upon receipt of its share deposit same in a special account and shall not commingle such funds with other revenues of the municipality. The share of each municipality shall be expended solely for capital improvements and the renovation of capital improvements determined by the municipal governing body, and the municipality shall match the share, dollar for dollar, with other municipal funds available, for capital improvement purposes and the renovation of capital improvements. The governing body of each municipality may use such share, plus its matching funds, to finance bond or warrant issues for capital improvements and the renovation of capital improvements and may pledge such share, along with its matching funds, to retire the principal and interest of such bonds or warrants.

Section 7. Payment of Allocations. The State Comptroller shall make all allocations of funds and shall make the distribution and payments thereof pursuant to such allocations provided for in this Act.

Section 8. Severability. In the event any portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining portions of this Act, which shall continue effective.

Section 9. Effective Date. This Act shall become effective upon the adoption of the amendment to the Constitution of Alabama of 1901 proposed in Act Number 85-79, H. B. 6, of the Special Session of the Legislature of Alabama that convened on January 23, 1985.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 12. To provide a procedure whereby a person whose primary condition is mental retardation and who is accused of a crime may be identified after his arrest so that insofar as is possible within the existing criminal justice system, such individual can be most fairly processed in view of his special problems.

Also:

S. 162. To amend Section 37-3-32 relating to Public Service Commission appropriations and increasing the registration fees of motor carrier vehicles.

Also:

S. 487. To provide a salary increase by the state for the official court reporters who are not covered by the state merit system and to provide an effective date and to limit cost of living increases for court reporters who are affected by this act.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 649

The Senate proceeded to further consideration of the Bill, H. B. 649. The question was on the committee substitute.

RESOLUTIONS

Senator Mitchem offered the following Senate Resolutions, to-wit:

S. R. 265. HONORING ALONZO BABERS FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 266. HONORING LILLIE LEATHERWOOD FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 267. HONORING CALVIN SMITH FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 268. HONORING DONALD C. GAMBRIL FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 269. HONORING COACH MIKE HANKS FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 270. HONORING WANDA JEWELL FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 271. HONORING MARGUERITE HIGGINS FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 272. HONORING WILLIE SMITH FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 273. HONORING PER JOHANSSON FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 274. HONORING CHUCK PERSON FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 275. HONORING MEL ROSEN FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 276. HONORING JOHN TUTTLE FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 277. HONORING HARVEY GLANCE FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 278. HONORING STEVE GRIFFITHS FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 279. HONORING REITA CLANTON FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 280. HONORING ROWDY GAINES FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 281. HONORING EMMIT KING FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 282. HONORING MARY LOU RETTON FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Also:

S. R. 283. HONORING JEFF BLANTNICK FOR PARTICIPATION IN THE 1984 OLYMPIC GAMES.

Which were adopted.

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 284. COMMENDING L. M. BERRY AND COMPANY ON ITS SEVENTY-FIFTH ANNIVERSARY.

Which was adopted.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 285. COMMENDING LOUIS G. HORN OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT AND COMMUNITY CONTRIBUTIONS.

Also:

S. R. 286. COMMENDING JEROME AVERBUCH FOR ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

S. R. 287. CONGRATULATING MR. C. E. "SLIM" LANDRUM ON HIS RETIREMENT.

Also:

S. R. 288. COMMENDING JOHN W. EVANS FOR SERVICE TO THE LEGAL PROFESSION AND THE COMMUNITY.

Also:

S. R. 289. COMMENDING ERNEST W. RITCH OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING SERVICE TO HIS PROFESSION AND THE COMMUNITY.

Also:

S. R. 290. COMMENDING MARGARET L. ESSLINGER OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 291. COMMENDING JAMES COLEMAN LEE, JUNIOR, FOR OUTSTANDING CONTRIBUTIONS TO HIS COMMUNITY AND STATE.

Also:

S. R. 292. COMMENDING MR. HENRY SANDERS MIMS FOR HIS OUTSTANDING CONTRIBUTIONS TO THE LEGAL PROFESSION AND HIS COMMUNITY.

Also:

S. R. 293. COMMENDING CHARLES A. SULLINS OF HUNTSVILLE, ALABAMA, FOR EXTRAORDINARY SERVICE TO THE LEGAL PROFESSION.

Which were adopted.

FURTHER CONSIDERATION OF H. B. 649

The Senate proceeded to further consideration of the Bill, H. B. 649. The question was on the committee substitute.

On motion of Senator Bedsole, said substitute was laid on the table.

Yeas 20; Nays 11.

Yeas:

Senators:	Corbett	Figures	Little	
Amari	Covington	Foshee	Mitchem	
Bailey	Denton	Hilliard	Sanders	
Bedsole	Dial	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cooley				—20

Nays:

Senators:	deGraffenried	Goodwin	Menton	
Bennett	Dixon	Hand	Parsons	
Cabaniss	Ellis	Holmes	Smith (B)	—11

Senator Parsons offered the following amendment to the Bill, H. B. 649, to-wit:

AMENDMENT TO H. B. 649

Amend House Bill No. 649, Page 1, Line 8, by striking out after the word

create, contingent upon ratification by the qualified electors of the state of the amendment to the Constitution of Alabama of 1901 proposed by Act 85-79 H. B. 6 of The Special Session of The Legislature of Alabama that convened on January 23, 1985

line 24 after the word, create, contingent upon ratification by the qualified electors of The State of The Amendment to The Constitution of Alabama of 1901 proposed by Act 85-79 H. B. 6 of The Special Session of The Legislature of Alabama that convened on January 23, 1985.

On motion of Senator Amari, said amendment was laid on the table.

Yeas 19; Nays 8.

Yeas:

Senators:	Bishop	Goodwin	Little	
Amari	Cooley	Hand	Menton	
Bailey	Denton	Hilliard	Sanders	
Bedsole	Drinkard	Holmes	Strong	
Bennett	Foshee	Langford	Teague	—19

Nays:

Senators:	Dial	Figures	Smith (B)	
Cabaniss	Dixon	Parsons	Smith (J)	
deGraffenried				—8

Senator Smith (B) offered the following amendment to the Bill, H. B. 649, to-wit:

AMENDMENT TO H. B. 649

Amend House Bill 649, to delete on page 5, after line 6, a new subsection (2) and renumbering all subsequent subsections accordingly.

REGULAR SESSION
30th Day

1845

(2) All funds received by the Madison County Commission shall be earmarked for use in the Madison County Public School System. Such funds shall remain so earmarked.

Senator Amari moved that said amendment be laid on the table, which motion was lost.

Yeas 12; Nays 16.

Yeas:

Senators:	Cooley	Figures	Langford	
Amari	Corbett	Foshee	Smith (J)	
Bailey	Denton	Hilliard	Strong	
Bishop				—12

Nays:

Senators:	Covington	Drinkard	Little	
Bedford	deGraffenried	Ellis	Menton	
Bedsole	Dial	Goodwin	Mitchem	
Bennett	Dixon	Holmes	Smith (B)	
Cabaniss				—16

And said amendment was then adopted.

Yeas 16; Nays 12.

Yeas:

Senators:	deGraffenried	Ellis	Little	
Bedford	Dial	Figures	Menton	
Bennett	Dixon	Goodwin	Mitchem	
Cabaniss	Drinkard	Holmes	Smith (B)	
Covington				—16

Nays:

Senators:	Corbett	Horn	Smith (J)	
Amari	Denton	Langford	Strong	
Bishop	Foshee	Sanders	Teague	
Cooley				—12

Senator Menton offered the following amendment to the Bill, H. B. 649, as amended, to-wit:

AMENDMENT TO H. B. 649, AS AMENDED

On page 3 line 18 delete the words and number "ten percent (10%)" and substitute in lieu thereof the words and number "twenty percent (20%)".

RECESS

At 12:40 P.M., on motion of Senator Hilliard, the Senate took a recess until 1:30 P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. B. 649

The Senate proceeded to further consideration of the Bill, H. B. 649, as amended. The question was on the amendment offered by Senator Menton.

On motion of Senator Goodwin, said amendment was laid on the table.

Senator Dial offered the following amendment to the Bill, H. B. 649, as amended, to-wit:

AMENDMENT TO H. B. 649, AS AMENDED

Amend House Bill No. 649, as amended, Page 5 Line 11, by striking out five hundred dollars (\$500.00) after the word receive.

and add in

one thousand dollars (\$1000.00)

On motion of Senator Goodwin, said amendment was laid on the table.

Senator Little offered the following amendment to the Bill, H. B. 649, as amended, to-wit:

AMENDMENT TO H. B. 649, AS AMENDED

Amend H. B. 649, as amended, Page 3, Line 21, by inserting a new sentence to read as follows:

For the first five (5) years The Local Government Capital Improvement Fund shall hold all funds received in obedience, pending investment as per the procedures enacted in Act 85-79 of the Special Session of The Alabama Legislature that convened January 23rd, 1985. Said funds and their invested yields to be expended only in accordance to future legislative enactment.

and furthermore on page 3, line 23, after the word shall insert the following words:

"after the above referenced five (5) year obedience"

On motion of Senator Bedsole, said amendment was laid on the table.

AMENDMENT RECONSIDERED TO H. B. 649

Senator Figures moved that the Senate reconsider the vote by which the Smith (B) amendment to the Bill, H. B. 649, was adopted.

Senator Smith (B) moved that the motion to reconsider be laid on the table, which motion was lost.

Yeas 14; Nays 19.

Yeas:

Senators:	Covington	Ellis	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Dial	Holmes	Smith (B)	
Cabaniss	Drinkard	Little		—14

Nays:

Senators:	Bishop	Figures	Langford	
Aldridge	Cooley	Foshee	Sanders	
Amari	Corbett	Goodwin	Smith (J)	
Bailey	Denton	Hilliard	Strong	
Bedsole	Dixon	Horn	Teague	—19

The question recurred on the motion of Senator Figures that the Senate reconsider the vote by which the Smith (B) amendment was adopted.

RESOLUTION

Senator Dixon offered the following Senate Resolution, to-wit:

S. R. 294. COMMENDING THE TRINITY PRESBYTERIAN SCHOOL OF MONTGOMERY, STATE 1A BASEBALL CHAMPIONS.

Which was adopted.

FURTHER CONSIDERATION OF H. B. 649

The Senate proceeded to further consideration of the Bill, H. B. 649, as amended. The question was on the motion of Senator Figures that the Senate reconsider the vote by which the Smith (B) amendment to the Bill, H. B. 649, was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 361. To make appropriations for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1986.

Also:

H. 452. To make appropriations for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1986.

Also:

H. 462. To make appropriations for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1986.

Also:

H. 453. To make appropriations for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1986.

Also:

H. 471. To make appropriations for the support and maintenance of the Tuskegee Institute for the fiscal year ending September 30, 1986.

Also:

H. 95. To amend Sections 34-9-1, 34-9-9, 34-9-11, 34-9-17, 34-9-18, 34-9-19, 34-9-22, 34-9-25, 34-9-26, 34-9-27, 34-9-29, 34-9-41, and 34-9-43 of the Code of Alabama 1975, relating to dentists and dental hygienists, so as to regulate further the practice of dentistry and dental hygiene; to regulate further the Board of Dental Examiners; to regulate the administration of anesthesia by dentists; and to provide sanctions.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 928. To amend the Code of Alabama 1975, Sections 26-16-3 and 26-16-30, relating to the Child Abuse and Neglect Prevention Board by providing further for the authorities, powers and duties of both the state Child Abuse and Neglect Prevention Board and the executive director of the Children's Trust Fund as to the hiring of staff and compensation of staff and to provide further for the distribution of funds.

Also:

H. 946. Relating to investigations by law enforcement agencies and social service agencies of this state concerning suspected or actual child abuse or neglect, so as to require agencies to share their information, upon request, with any other agency or agencies when the sharing of such information is necessary to prevent or discover child abuse or neglect.

Also:

H. 58. To amend Section 9-13-82(a) of the Code of Alabama 1975, so as to provide for severance of forest products at an increased tax rate.

Also:

H. 89. To authorize and provide for the promotion of the production, marketing, use and sale of wheat, corn, grain sorghum, and oats and wheat, corn, grain sorghum, and oats products by research, education, advertising and other methods; and prescribing a method whereby wheat, corn, grain sorghum, and oat producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for non-assessments, or refund of assessments; prescribing duties of the commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the wheat, corn, grain sorghum, and oats producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of wheat, corn, grain sorghum, and oats throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of wheat, corn, grain sorghum, and oats; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Also:

H. 194. To amend Section 34-23-30, 34-23-32, 34-23-50, and 34-23-52, Code of Alabama 1975, which provide license fees established by the board of pharmacy, so as to provide further for said fees.

Also:

H. 344. To amend certain sections of Chapter 9, Article 11, of Title 41 of the Code of Alabama 1975 to provide that the executive committee of the commission may not be empowered to execute any contract for an amount in excess of \$100,000.00; to provide that the commission offer to its employees any benefits offered to employees of the state of Alabama; to provide that the commission shall establish, operate and maintain a state memorial park to honor Alabamians who participated in all armed conflicts of the United States; and to provide that the \$50,000.00 outstanding indebtedness to the Alabama State Docks Department be forgiven.

Also:

H. 450. To amend H. 9, enacted as Act No. 85-125, enacted at the First Special Session of the 1985 Alabama Legislature, which amended various provisions of Chapter 2 of Title 14 of the Code of Alabama 1975 relating to the Alabama Corrections Institution Finance Authority, in order to authorize the Authority to sell its bonds by private sale; and to permit bonds of the Authority to be sold with a maximum term of 30 years.

Also:

H. 602. Relating to additional expenses of the Alabama Forestry Commission; to make a supplemental appropriation to the Alabama Forestry Commission for the fiscal year ending September 30, 1986, for salaries, operating expenses and equipment purchases of the Commission.

Also:

H. 88. To propose an amendment to the Constitution of 1901, authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of wheat and other feed grains as defined and authorized by the Legislature.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 649

The Senate proceeded to further consideration of the Bill, H. B. 649, as amended. The question was on the motion of Senator Figures that the Senate reconsider the vote by which the Smith (B) amendment to the Bill, H. B. 649, was adopted.

On motion of Senator Smith (B), further consideration of the Bill, H. B. 649, as amended, and the Figures motion to reconsider, was postponed subject to the call of the Chair.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith a Message from Governor George C. Wallace, returning to you, the house in which it originated, Senate Bill No. 266 without the Governor's signature and approval but with the following veto message.

Done this 20th day of May, 1985.

Respectfully submitted,

ELVIN L. STANTON,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

My position on an employee pay raise for FY 1985-86 has been widely publicized. However, as a result of your sentiment regarding this matter as evidenced by Senate Bill No. 266, I have carefully reexamined the circumstances related to this matter.

For your information and in an attempt to clearly communicate the reasons for my actions, I want to share with you the following points.

1. It is true that with your assistance we have moved the General Fund budget from proration to solvency. In fact, because of some one-time funds (mainly sales tax acceleration and highway bond interest), we are projecting an unappropriated balance of \$39 million on September 30, 1985. I must hasten to point out that this \$39 million is absolutely crucial to meet the needs of Corrections, Public Safety, Medicaid, and Mental Health and has been included along with a small amount of growth in the FY 1985-86 General Fund appropriation bill (either the one I proposed or the one already passed by the House and Senate). The House and Senate version requires a funding level of \$608.7 million while we project to have available from all sources \$609 million. Thus, the projected General Fund balance on September 30, 1986, is less than \$1 million.

2. With practically no carry-over, the situation in the General Fund for FY 1986-87 becomes very severe. In that year we will have used the one-time unappropriated balance, and any growth must replace some of the one-time dollars included in the FY 1985-86 budget but no longer available in FY 1986-87 (Alcoholic Beverage Control Board \$1,500,000; Highway bond interest \$6,327,993). Plus we must address some additional obligations in FY 1986-87 (Alabama Heritage Trust Fund payment \$2,444,985; Docks \$3,500,000). In short, without some presently unexpected windfall, the budgeting process for the General Fund in FY 1986-87 is going to be very difficult.

3. While the fiscal situation in the General Fund for FY 1985-86 is balanced without the pay raise bill, the other trust funds, notably Pensions

and Security and the Special Mental Health Trust Fund, face a very uncertain year. Those agencies very likely will have to consider curtailing services just to operate in FY 1985-86 within projected revenues and the House- and Senate-passed budget expenditures. The anticipated cost of the proposed pay raise to these and other trust funds is over \$30 million in FY 1985-86. Pensions and Security and the Department of Mental Health will feel the most significant effects. Both will have to fund the raise from tax sources that are not expected to grow at a rate necessary to fund the raise. Mental Health alone will have to provide over \$5 million in additional revenue to meet their portion of the raise. The impact on trust funds is evidenced by the supplemental appropriation bill (Act No. 85-124) which provided funds to Health, Mental Health, Forestry, Pensions and Security, Environmental Management, and Agriculture and Industries to supplement their trust funds in order to meet the 10 percent raise passed for FY 1984-85. The General Fund has already committed \$5.1 million to Pensions and Security to supplement the pay raise in that department for FY 1984-85. With no additional revenue sources these same agencies and possibly others will not be able to absorb yet another pay increase in FY 1985-86 without severely reducing services and/or personnel.

4. Each year state employees, unlike education employees are eligible for merit salary advances regardless of a general pay raise. The Governor's original proposed General Fund Budget for FY 1985-86 included funding for up to a two-step annual salary advancement for each state agency. This amounted to over \$6.5 million from the State General Fund alone. Historically, approximately 56 percent of all state employees receive a two-step raise and 20 percent receive a one-step raise each year. The remaining 24 percent either are at the top of their salary range or did not receive a rating sufficient to justify a step raise. Since each step represents generally a 2.5 percent increase, most employees will be eligible for a 2.5 to 5 percent increase without a general cost-of-living adjustment.

5. There has been a lot of rhetoric about education employees getting a raise for FY 1985-86 and state employees being omitted. First, this is not entirely true because of the step raises available to state employees. Additionally, when you review the recent past history of general pay increases, there is no precedent requiring a raise of each segment. Moreover, the prevailing rationale for cost-of-living adjustment appears to be the availability of funds coupled with a need to maintain a competitive salary schedule.

6. In establishing or maintaining a salary schedule, one must look to other comparable situations in the public and private sector. To evaluate Alabama's position with other regional states I asked our Personnel Department to conduct an in-depth analysis of certain key positions in the Southeastern Salary Administration Conference. Great care was exercised in this analysis to insure that the data were comparable and accurate. The job titles selected for analysis were selected because of the large number of jobs in that class, the uniformity of job descriptions, and the high level of comparability between similar jobs in different states. Of the 14 states¹ surveyed for the 15 different jobs², in 14 of the 15 jobs surveyed, Alabama had a higher minimum salary than 11 of the other states. In one job, Alabama had a higher minimum salary than 9 of the other states. Conversely in 8 of the 15 jobs, Alabama had the highest maximum salary. In 3 jobs, Alabama had the second highest maximum. In 2 jobs, Alabama was third from the highest maximum. For one job, Alabama was fifth from the highest maximum.

To broaden this analysis of the public sector to the national scene, a review of the 1985 publication of the International Personnel Management

Association relating to this topic was examined. Again, this analysis revealed that in 15 major categories in which the state seeks employees (Accountant I, Account Clerk I, Attorney II, Auto Mechanic, Chemist I, Clerk Stenographer III, Clerk Typist I, Communication Technician II, Computer Operator II, Correctional Officer I, Engineering Assistant I, Environmentalist I, Programmer/Analyst II, Social Worker I), Alabama's minimum salary is above the nationwide average minimum salary in 10 of 15 cases. In the other 5 cases, Alabama's minimum salary is below the average minimum salary by three percent in three cases and one percent in two cases. In each of the classifications examined, Alabama's maximum salary is above the nationwide average maximum by 7 to 25 percent. These comparisons are based on salary only and do not include fringe benefit comparisons.

¹Oklahoma, Alabama, South Carolina, Virginia, North Carolina, Kentucky, Georgia, Tennessee, Missouri, West Virginia, Arkansas, Mississippi, Louisiana, Florida

²Accountant I, Attorney I, Clerk Typist I, Correctional Officer I, Economic Assistance Specialist, Employment Interviewer, Graduate Civil Engineer, Mental Health Worker I, Pollution Control Specialist I, Probation and Parole Officer I, Programmer I, Rehabilitation Counselor I, Social Worker III, Trooper, Welfare Supervisor I

7. The Personnel Department has informed me that the fringe benefit package available to state employees including retirement, social security, health insurance, and holidays is very competitive with the benefit package in surrounding states and compares very favorably with the benefits available nationwide.

8. The total employment package for state employees is so attractive that there is a backlog of applications for almost every state position. If one examines the application flow data for 1983, there were 79,738 applicants for the 6,482 vacancies. Similarly in 1984 there were 79,782 for the 8,352 vacancies.

9. Throughout my administration I have always supported our state employees. I am proud of the salary and benefit package they enjoy. Most of our state employees are dedicated professionals who keep the wheels of our state government turning smoothly, thereby providing invaluable governmental services to our citizens.

It is out of a deep respect for and deference to this dedication and service that I must, after much careful and prayerful thought, veto Senate Bill No. 266. In my opinion which is based on the best information available, to add \$17 million to the General Fund expenditures with less than \$1 million projected to be available and add approximately \$30 million to other trust funds with, in many cases, no additional money projected to be available would amount to reacting to the pressures of the present with very little regard for the future. To grant state employees a raise now and then to face the possibility of proration of budgets later in 1985-86 may be misleading the many dedicated and conscientious state employees. To grant a pay raise in FY 1985-86 when we face almost certain General Fund budget cuts in FY 1986-87 amounts to, in my opinion, fiscal irresponsibility. It is not my intent to offer, nor do I believe you would support, additional taxes to make up the budgetary differences.

I encourage you to join me in this decision.

Done on this 20th day of May, 1985.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The Senate received the foregoing Message from His Excellency, the Governor, returning the Bill, S. B. 266, without his approval.

On motion of Senator Mitchem, the Senate reconsidered the bill:

S. 266. To provide a cost-of-living salary increase for certain state employees for the fiscal year beginning October 1, 1985 and to appropriate funds for said increase. This bill also provides longevity pay for certain state employees for each fiscal year beginning October 1, 1985.

And said Bill, S. B. 266, was again read at length and passed by a vote of the majority of the whole number elected to the Senate, said vote being: Yeas 30 Nays 3, the Governor's veto to the contrary notwithstanding.

Yeas:

Senators:	Cooley	Ellis	Menton
Aldridge	Corbett	Figures	Mitchem
Amari	Covington	Foshee	Parsons
Bailey	deGraffenried	Hand	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dial	Horn	Strong
Bennett	Dixon	Langford	Teague
Bishop	Drinkard	Little	—30

Nays:

Senators:	Cabaniss	Goodwin	Hilliard	—3
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RESOLUTIONS

Senators Little, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Horn, Langford, Menton, Mitchem, Parsons, Sanders, Smith (B), Smith (J), Strong, and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 295. COMMENDING FORMER U. S. REPRESENTATIVE CARL ELLIOTT OF JASPER, ALABAMA.

WHEREAS, Carl Elliott of Jasper, Alabama, served eight consecutive terms, 1948-1964, in the United States Congress, representing Alabama's then Seventh Congressional District; and

WHEREAS, during his notable tenure in the Congress, Carl Elliott served on a number of important committees, and was most particularly distinguished through service as a member of the Rules Committee in the U. S. House of Representatives; and

WHEREAS, Congressman Elliott, who was instrumental in passing legislation for education, libraries, the elderly and needy, was the author of the National Defense Education Act which enabled thousands of American citizens to receive an education that they might not otherwise have been able to afford; and

WHEREAS, among other numerous achievements, Carl Elliott is a distinguished author and attorney and, since leaving the Congress, has been engaged in the practice of law in Jasper; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Carl Elliott of Jasper, Alabama, for distinguished service to the State of Alabama and the nation.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Congressman Elliott that he may know of our sincere and deep admiration for his accomplishments on our behalf.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Cabaniss, Bennett, Horn, Parsons, Hilliard, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bishop, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Holmes, Langford, Little, Menton, Mitchem, Sanders, Smith (B), Smith (J), Strong, and Teague offered the following Senate Resolution, to-wit:

S. R. 296. COMMENDING HENRY C. GOODRICH OF BIRMINGHAM, PROMINENT ALABAMA BUSINESS EXECUTIVE AND COMMUNITY LEADER.

Which was adopted.

Senator Bedsole offered the following Senate Resolution, to-wit:

S. R. 297. WELCOMING THE UNITED STATES COAST GUARD CUTTER EAGLE TO THE STATE OF ALABAMA AT THE PORT OF MOBILE.

Which was adopted.

BILL RECONSIDERED

On motion of Senator Drinkard, the Senate reconsidered the vote by which the Bill, H. B. 3, was passed.

On motion of Senator Drinkard, the Senate reconsidered the vote by which the Bill, H. B. 3, was ordered to its third reading.

Senator Drinkard then offered the following amendment to the Bill, H. B. 3, to-wit:

AMENDMENT TO H. B. 3

Amend H. 3 as follows:

On page one, in lines 16 and 17 of the title delete the words:

“at the next county or statewide election”

and insert in lieu thereof the words:

November 1986 general election

On page two, in lines 4 and 5 of Section 5, delete the words:

“at the next county or statewide election”

and insert in lieu thereof the words:

November 1986 general election

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Menton	
Bailey	Denton	Goodwin	Mitchem	
Barron	Dial	Hand	Parsons	
Bedford	Dixon	Holmes	Sanders	
Bedsole	Drinkard	Horn	Smith (B)	
Bennett	Ellis	Little	Teague	
Cabaniss	Figures			—25

Nays: —0

And said Bill, H. B. 3, as thus amended, was again read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Ellis	Horn	
Aldridge	Cabaniss	Figures	Little	
Amari	Cooley	Foshee	Menton	
Bailey	Denton	Goodwin	Mitchem	
Barron	Dial	Hand	Smith (B)	
Bedford	Dixon	Holmes	Teague	
Bedsole	Drinkard			—25

Nays: —0

RESOLUTIONS

Senator Corbett offered the following Senate Resolution, to-wit:

S. R. 298. REQUESTING THE FEDERAL COMMUNICATIONS COMMISSION TO ADJUST EXCHANGE BOUNDARIES OR TO INITIATE A NEW CALLING PLAN FOR CERTAIN RUSSELL COUNTY COMMUNITIES.

Which was adopted.

Senator Barron offered the following Senate Resolutions, to-wit:

S. R. 299. COMMENDING G. L. ARMSTRONG, DISTRICT VICA ADVISOR OF THE YEAR.

Also:

S. R. 300. COMMENDING JACKSON COUNTY TECHNICAL SCHOOL STUDENTS FOR OUTSTANDING ACCOMPLISHMENT.

Which were adopted.

BILLS ON THE THIRD READING RESUMED

THE BILL:

H. 820. To amend Section 13A-14-2, Code of Alabama 1975, which relates to the Sunshine Law, so as to provide for notice of meetings and to increase the penalties for violations.

was taken up.

Senator Ellis offered the following amendment to the Bill, H. B. 820, to-wit:

AMENDMENT TO H. B. 820

Amend H. 820 by deleting the periods on Page 1, lines 12 and 21, by inserting in lieu thereof commas and inserting the following additional language:

, and to provide further for legal reasons for executive sessions.

Further amend by deleting the period on Page 2, line 4, by inserting in lieu thereof a comma and inserting the following additional language:

, when the above named boards or commissions are engaged in privileged discussions of an attorney-client nature, or when the above named boards or commissions are engaged in discussion related to possible acquisition of land.

INTRODUCTION OF BILLS

Upon the call of districts, the bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Senator Foshee:

S. 722. To define transportation companies subject to Public Service Commission jurisdiction.

Committee on Buildings and Grounds.

FURTHER CONSIDERATION OF H. B. 820

The Senate proceeded to further consideration of the Bill, H. B. 820. The question was on the amendment offered by Senator Ellis.

RESOLUTION

Senator Mitchem offered the following Senate Resolution, to-wit:

S. R. 301. COMMENDING UNITED STATES CONGRESSMAN TOM BEVILL, A DISTINGUISHED PUBLIC SERVANT.

Which was adopted.

FUTHER CONSIDERATION OF H. B. 820

The Senate proceeded to further consideration on the Bill, H. B. 820. The question was on the amendment offered by Senator Ellis.

REGULAR SESSION
30th Day

1857

Senator Corbett moved that said amendment be laid on the table, which motion was lost.

Yeas 10; Nays 17.

Yeas:

Senators:	Drinkard	Horn	Menton	
Bennett	Figures	Langford	Strong	
Corbett	Holmes	Little		—10

Nays:

Senators:	deGraffenried	Foshee	Parsons	
Barron	Denton	Goodwin	Sanders	
Cabaniss	Dial	Hilliard	Smith (B)	
Cooley	Dixon	Mitchem	Teague	
Covington	Ellis			—17

And said amendment was then adopted.

Yeas 16; Nays 11.

Yeas:

Senators:	deGraffenried	Ellis	Mitchem	
Barron	Denton	Foshee	Sanders	
Cabaniss	Dial	Goodwin	Smith (B)	
Cooley	Dixon	Hilliard	Teague	
Covington				—16

Nays:

Senators:	Bennett	Horn	Menton	
Aldridge	Corbett	Langford	Parsons	
Bedford	Drinkard	Little	Strong	—11

Senator Ellis then offered the following amendment No. 2 to the Bill, H. B. 820, as amended, to-wit:

AMENDMENT TO H. B. 820, AS AMENDED

Amend Substitute to H. 820 by inserting on Page 2, line 17 the following additional sentence:

No provision of this Act shall be construed as prohibiting named boards, agencies, commissions or courts from convening in emergency session without first having given 24-hour advance notice.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 136. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 13th Judicial Circuit.

Also:

H. 163. Relating to the Alabama Uniform Certificate of Title and Antitheft Act; to amend Section 32-8-41, Code of Alabama 1975, so as to eliminate the requirement of the state department of revenue to issue a nontransferable duplicate certificate of title for mailing to the owner to serve as a permit for the operation of a motor vehicle; and to amend Section 32-8-38, Code of Alabama 1975, so as to provide that the owner's permit copy of the application for certificate of title be retained by the owner as a nonnegotiable document as evidence of ownership and as a permit for the operation of a motor vehicle in order to eliminate the use of a form that duplicates the effects of another form.

Also:

H. 546. To provide for the filing for record and the preservation of all orders and judgments made and entered by any judge of the circuit court of the 20th Judicial Circuit of Alabama, and to provide that such judgments or orders shall have the same force and effect as minutes of the circuit court of said circuit prior to the passage and approval of this act.

Also:

H. 547. Relating to the 20th Judicial Circuit of Alabama; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Also:

H. 579. Relating to Lawrence County; providing further for the compensation of election officials.

Also:

H. 580. Relating to Lawrence County; providing certain additional compensation for the members of the board of registrars to be paid from the county general fund.

Also:

H. 581. Relating to Lawrence County, to amend Act 79-86, H. 50, 1979 Regular Session (Acts of 1979, p. 110), so as to grant exclusive control of the pistol permit fee fund to the sheriff.

Also:

H. 614. Relating to Etowah County; to provide for the filing for record and the preservation of all final orders and judgments of the court in criminal cases made by any judge of the circuit court.

Also:

H. 617. Relating to Lauderdale County; to amend further Section 2 of Act No. 88, S. 181, 1959 Regular Session (Acts 1959, p. 509), which act provides for the county law library, so as to provide further for the collection of court costs for the maintenance of said library.

Also:

H. 645. Relating to Houston County; providing an appropriation from the county general funds or any available funds in the county treasury for

REGULAR SESSION
30th Day

1859

the purposes of clean-up and removal of debris from fire damage to certain private property for a specific period retroactively to October 1, 1979; and providing relief to the Houston County Commission for causing its road department to clean-up such debris in error.

WHEREAS, fire damage to private property can create a severe safety hazard and the county commission has certain responsibility to protect its citizens; now therefore,

Also:

H. 706. To alter or rearrange the boundary lines of the city of Albertville, Marshall County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

Also:

H. 782. Relating to St. Clair County; abolishing the office of constable in such county.

Also:

H. 807. Relating to Elmore County; to amend Act 84-656, H. B. 973, 1984 Regular Session, pertaining to the election of county commissioners, so as to provide for said election by districts.

Also:

H. 810. Relating to Lawrence County; providing for a board of trustees for the Jesse Owens Memorial Park in said county; providing for the terms of the members of such board and prescribing their duties and responsibilities.

Also:

H. 811. Relating to Lawrence County; allowing the Department of Conservation and Natural Resources to regulate the use of dogs and/or buck shot in shotguns in deer hunting outside of wildlife management hunting areas and repealing Act No. 80-349, H. 972, 1980 Regular Session.

Also:

H. 812. Relating to Lawrence County; to provide a procedure for handling cases involving invalid personal checks given for licenses, and the voiding of such licenses; and to repeal Act No. 79-399, H. 618, 1979 Regular Session.

Also:

H. 813. Relating to Lawrence County; to create a motor vehicle license division within the tax assessor's office for the issuance of motor vehicle licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of motor vehicle licenses by the tax assessor's office and to transfer certain duties now performed by the probate judge and tax collector to said tax assessor.

Also:

H. 814. Relating to Lawrence County; providing for a supplemental expense allowance for the court reporter of the Thirty-sixth Judicial Circuit; and providing such expense allowance shall be paid from the county treasury.

Also:

H. 816. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

Also:

H. 821. To provide for supplemental expense allowances for the district attorney of the 36th judicial circuit and the district judge of Lawrence County.

Also:

H. 830. Relating to Lawrence County; providing a certain expense allowance for the county superintendent of education.

Also:

H. 841. Relating to Pickens County; to authorize the county board of education to provide for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks for use in the schools of the county.

Also:

H. 852. Relating to Marshall County; to amend Section 23, of Act No. 633, H. 1248, 1976 Regular Session of the Alabama Legislature (1976 Acts, p. 870), entitled, "An Act Relating to Marshall County; abolishing the Commission on Government and Finance of Marshall County and creating in lieu thereof the Marshall County Commission; providing for the election of the members of the commission, prescribing their qualifications, terms, and compensation; providing for the organization, powers, duties, jurisdiction and function of the commission and the authority and duty of its members," so as to provide further for the powers, duties, jurisdiction and function of the Marshall County Commission.

Also:

H. 853. Relating to Marshall County; creating the Marshall County Commission Reapportionment Study Committee.

Also:

H. 864. Relating to Mobile County; altering, rearranging and extending the boundary lines and corporate limits of the City of Mobile.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing

Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 896. To alter or rearrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama; providing for an advisory referendum on the alteration of the said boundary lines.

Also:

H. 898. Relating to Lowndes County; to authorize the county board of education to appoint the superintendent of education for the county.

Also:

H. 899. Relating to Lowndes County; to amend Section 2 of Act No. 83-425, S. 360, of the 1983 Regular Session (Acts 1983, p. 604), relating to the distribution of the beer tax levied by Act No. 82-344, H. 165, Regular Session 1982, (Acts 1982, p. 473), so as to provide further for the distribution thereof.

Also:

H. 900. Relating to Lowndes County; creating a districting commission to establish district lines for the Lowndes County Commission and Lowndes County board of education; providing for the appointment of the members of the districting commission; providing for the number of districts; providing for the composition of the Lowndes County board of education and Lowndes County Commission; and providing for election of members of the board of education and county commission from single-member districts.

Also:

H. 906. To amend Section 16-48-12, Code of Alabama 1975, which provides for the duties of the police officers at Auburn University, so as to provide further for the powers of said officers.

Also:

H. 949. Relating to Winston County; authorizing the levy of an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 995. Relating to Jackson County and the alternative method of issuing license tags for motor vehicles and fees therefor; amending Section 5 of Act No. 80-453, S. 503, Regular Session 1980, (Acts 1980, p. 707), relating to the functions of the county commission in preparing and mailing

out applications for such tags, so as to provide that the county commission may set a fee for the actual costs involved in such duties.

Also:

H. 1011. Relating to Houston County; levying an additional ad valorem tax in the county to be deposited in the county general fund to be expended for industrial development and rural fire protection upon referendum approval of such levy by the qualified electors of the county.

Also:

H. 1017. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

Also:

H. 1065. Relating to the Sixteenth Judicial Circuit; providing for supplemental allowance, payable from the county general fund, for the circuit clerk of such circuit; and repealing conflicting laws, relating to the compensation of the circuit clerk of the said judicial circuit; providing that such allowance shall be calculated on a certain percentage of the state compensation for such official; and providing for an effective date.

Also:

H. 1074. Relating to Dale County; to provide for an increase in the salary of the tax assessor and tax collector; and to provide for an effective date of October 1, 1985.

Also:

H. 1075. Relating to Dale County; providing further for voter reidentification in such county; providing for additional periods of such registration retroactively to March 1, 1985; providing for a termination date.

Also:

H. 902. Proposing an amendment to the constitution of Alabama, 1901, relating to school district tax for the City of Hartselle, Morgan County, which shall become valid as a part of the Constitution when all requirements of Amendment 425 of the Constitution of Alabama of 1901 are fulfilled.

Also:

H. 1014. To propose an amendment to the Constitution of Alabama 1901 to repeal certain exemptions authorized by law on that portion of any local ad valorem taxes levied in Madison County that upon collection is earmarked for public school purposes.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 820

The Senate proceeded to further consideration of the Bill, H. B. 820, as amended. The question was on the amendment No. 2 offered by Senator Ellis.

On motion of Senator Corbett, said amendment was laid on the table.

Yeas 19; Nays 12.

Yeas:

Senators:	Corbett	Figures	Little	
Aldridge	deGraffenried	Foshee	Menton	
Bedford	Denton	Holmes	Parsons	
Bennett	Dixon	Horn	Strong	
Cabaniss	Drinkard	Langford	Teague	—19

Nays:

Senators:	Cooley	Ellis	Hilliard	
Bailey	Covington	Goodwin	Smith (B)	
Barron	Dial	Hand	Smith (J)	
Bedsole				—12

And said Bill, H. B. 820, as amended, was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Senators:	Corbett	Figures	Little	
Aldridge	Covington	Foshee	Menton	
Barron	deGraffenried	Goodwin	Mitchem	
Bedford	Denton	Hand	Parsons	
Bedsole	Dial	Hilliard	Smith (B)	
Bennett	Dixon	Holmes	Smith (J)	
Cabaniss	Drinkard	Horn	Strong	
Cooley	Ellis	Langford	Teague	—31

Nays: —0

RESOLUTION

Senator Parsons offered the following Senate Resolution, to-wit:

S. R. 302. COMMENDING THE BOOKER HEIGHTS DEVELOPMENT CORPORATION.

Which was adopted.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 327. To amend sections 34-27-2 through 34-27-8, 34-27-10, 34-27-11, 34-27-30 through 34-27-38, 34-27-50 through 34-27-52, 34-27-57, 34-27-58, 34-27-60 through 34-27-64 and 34-27-66 through 34-27-68 of the Code of Alabama 1975, which relate to the regulation of real estate and time-sharing brokers, salesmen and transactions and to the real estate commission

and its executive officers, so as to provide further for such regulation, for the duties of such executive officers and for penalties and to repeal section 34-27-9 relating to bonds of such executive officers.

was read a third time at length and passed.

Yeas 29; Nays 0.

Abstaining 1.

Yeas:

Senators:	Cabaniss	Ellis	Mitchem	
Aldridge	Cooley	Foshee	Parsons	
Amari	Corbett	Goodwin	Sanders	
Bailey	Covington	Hand	Smith (B)	
Barron	Denton	Holmes	Smith (J)	
Bedford	Dial	Langford	Strong	
Bedsole	Dixon	Menton	Teague	
Bennett	Drinkard			—29

Nays: —0

Abstaining Senator Little —1

THE BILL:

H. 771. To regulate transient merchants, provide for licensing of said merchants and provide for penalties for violations.

was taken up.

Senator Mitchem offered the following amendment to the Bill, H. B. 771, to-wit:

AMENDMENT TO H. B. 771

Amend House Bill 771 on page 2, after line 19, by inserting the following and renumbering the remaining items accordingly: "(8) duly licensed flea markets operating from a fixed location;"

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Parsons	
Aldridge	Cooley	Goodwin	Smith (B)	
Barron	Covington	Hand	Smith (J)	
Bedford	Denton	Horn	Strong	
Bedsole	Dial	Langford	Teague	
Bennett	Figures	Mitchem		—22

Nays: —0

And said Bill, H. B. 771, as thus amended, was read a third time at length and passed.

REGULAR SESSION
30th Day

1865

Yeas 26; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Mitchem	
Aldridge	Covington	Hand	Parsons	
Barron	deGraffenried	Hilliard	Smith (B)	
Bedford	Denton	Holmes	Smith (J)	
Bedsole	Dial	Horn	Strong	
Bennett	Figures	Langford	Teague	
Cabaniss	Foshee	Little		—26

Nays: —0

THE BILL:

H. 667. To enact the Interstate Corrections Compact into law and to provide for the permanent or temporary interstate transfer of offenders and prisoners between Alabama and such other states as may legally join into the interstate corrections compact and contract for said transfer with the Commissioner of the Alabama Department of Corrections.

was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Aldridge	deGraffenried	Goodwin	Mitchem	
Amari	Dial	Hand	Parsons	
Barron	Dixon	Holmes	Smith (B)	
Bedford	Drinkard	Horn	Smith (J)	
Bennett	Ellis	Langford	Strong	
Cabaniss	Figures	Little	Teague	
Cooley				—28

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 435. An act relating to toxic substances; providing legislative intent; providing definitions; providing for liability and responsibility of contractors to employees; providing for the determination of the Alabama Substance List; creating the Toxic Substances Advisory Council; providing for membership, terms, and meetings of the council; providing for annual review of the Alabama Substance List; providing notice requirements; providing employee education and training requirements; providing for employee rights; providing for protection of trade secrets; providing for notice to fire departments, emergency medical service providers, and law enforcement agencies; providing recordkeeping requirements; providing for annual evaluation reports; providing penalties; prohibiting local standards; providing for review and repeal; providing effective dates.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Aldridge, the Senate concurred in and adopted the following House substitute to the Bill, S. B. 435, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 435**A BILL
TO BE ENTITLED
AN ACT**

An act relating to toxic substances; providing legislative intent; providing definitions; providing for liability and responsibility of contractors to employees; providing for the determination of the Alabama Substance List; creating the Toxic Substances Advisory Council; providing for membership, terms and meetings of the council; providing for annual review of the Alabama Substance List; providing notice requirements; providing employee education and training requirements; providing for employee rights; providing for protection of trade secrets; providing for notice to fire departments, emergency medical service providers, and law enforcement agencies; providing record-keeping requirements; providing for annual evaluation reports; providing penalties; prohibiting local standards; providing for review and repeal; providing effective dates; and makes effect of this act conditional upon the providing of funding sufficient to administer the act during fiscal year 1986.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**Section 1. Legislative intent.**

It is hereby found and declared that there exists a danger to the health of employees and their families throughout the state because of exposure to toxic substances encountered in the course of employment. Sometimes the tragic results of this exposure may not be realized for years or even for generations. Because of this, it is necessary to require employers to give notice to each employee of the toxic substances involved in his employment which may endanger or cause death to the employee or members of the employee's family. It is further found and declared that employees have an inherent right to know about the toxic substances at their workplace so that they may make more knowledgeable and reasoned decisions with respect to the continued personal costs of their employment and the need for corrective action. It is also found and declared that the workplace often provides an early warning mechanism for the rest of the environment. The Legislature intends, by this act, to ensure that employees must be given information concerning the nature of the toxic substances with which they are working.

Section 2. Definitions. As used in this act:

(1) "Alabama Substance List" means the compilation of toxic substances promulgated pursuant to Section 4 of this act.

(2) "Article" means a finished product or manufactured item:

(a) Which is formed to a specific shape or design during manufacture;

(b) Which has end use functions dependent in whole or in part upon its shape or design during end use; and

(c) Which has either no change of chemical composition during end use, or only those changes of composition which have no commercial purpose separate from that of the article.

(3) "Chemical name" means the scientific designation of a substance in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry or the system developed by the Chemical Abstracts Service.

(4) "Common name" means any designation or identification such as code name, code number, trade name, or brand name used to identify a substance other than by its chemical name.

(5) "Director" means the Director of the Alabama Department of Environmental Management.

(6) "Department" means the Department of Environmental Management.

(7) "Designated representative" means an employee's treating physician, upon written authorization by said employee, and the employee's collective bargaining agent who is certified or is recognized by the employer of the employee. No other individual or organization shall be eligible to serve as a designated representative.

(8) "Distributor" means an individual or employer, other than the manufacturer or importer, who supplies toxic substances directly to users or to other distributors.

(9) "Employee" means any person employed on or after the effective date of this act who is, has been, or may be exposed under normal operating conditions or foreseeable emergencies to any toxic substance in the employer's workplace.

(10) "Employer" means any person, firm, corporation, partnership, association or other entity engaged in a business or in providing services, including the State of Alabama and any of its political subdivisions, that manufactures, produces, uses, applies, or stores toxic substances. An independent contractor or subcontractor shall be deemed the sole employer of his employees, even when said employees are performing work at the workplace of another employer. Employer shall not include:

(a) Employers employing two or fewer employees.

(b) Employers of domestic workers in private homes.

(c) Bona fide farmers or an association of farmers employing employees in agricultural labor performed on a farm, or in the on site packing facilities for agricultural products from such farms, who employ 12 or fewer regular employees and who employ 24 or fewer other employees at one time for seasonal or occasional agricultural labor that is completed in less than 30 continuous days, provided that such seasonal or occasional employment does not exceed 60 days in the same calendar year. The term "farm" includes stock, dairy, poultry, fruit, fur-bearing animals, fish, and truck farms, ranches, nurseries, and orchards. The term "agricultural labor" includes field foremen, timekeepers, checkers, and other farm labor supervisory personnel.

(d) Employers of professional athletes, such as professional boxers and wrestlers and baseball, football, basketball, hockey, polo, tennis, and similar players.

(11) "Expose" or "exposure" means any situation arising from or related to the work operation of an employer where an employee may inhale, absorb

through the skin or eyes, accidentally ingest, or otherwise come into contact with a toxic substance.

(12) "Health professional" means a physician, industrial hygienist, toxicologist, or epidemiologist.

(13) "Importer" means the first individual or employer within the Customs Territory of the United States who receives toxic substances produced in other countries for the purpose of supplying them to distributors or users within the United States.

(14) "Impurity" means a toxic substance which is unintentionally present with another substance or mixture.

(15) "List" means the Alabama Substance List promulgated pursuant to Section 4 of this act.

(16) "Manufacturer" means a person who produces, synthesizes, extracts, or otherwise makes toxic substances.

(17) "Material safety data sheet" or "MSDS" means written or printed material concerning a toxic substance which sets forth the following information:

(a) The chemical name and the common name of the toxic substance.

(b) The hazards or other risks in the use of the toxic substance, including:

1. The potential for fire, explosion, corrosivity, and reactivity;

2. The known acute and chronic health effects of risks from exposure, including the medical conditions which are generally recognized as being aggravated by exposure to the toxic substance; and

3. The primary routes of entry and symptoms of overexposure.

(c) The proper precautions, handling practices, necessary personal protective equipment, and other safety precautions in the use of or exposure to the toxic substances, including appropriate emergency treatment in case of overexposure.

(d) The emergency procedures for spills, fire, disposal, and first aid.

(e) A description in lay terms of the known specific potential health risks posed by the toxic substance intended to alert any person reading this information.

(f) The year and month, if available, that the information was compiled and the name, address, and emergency telephone number of the manufacturer responsible for preparing the information.

(18) "Medical emergency" means a serious medical condition which poses an imminent threat to a person's health, caused or suspected to have been caused by exposure to a toxic substance, and which requires immediate treatment by a physician.

(19) "Mixture" means any combination of two or more substances, if the combination is not, in whole or in part, the result of a chemical reaction.

(20) "Produce" means to manufacture, process, formulate, or repackage.

(21) "Specific chemical identity" means the chemical name, the Chemical Abstracts Service (CAS) Registry Number, or any other specific information which reveals the precise chemical designation.

(22) "Toxic substance" means any chemical substance or mixture in a gaseous, liquid, or solid state, if such substance or mixture causes a significant risk to safety or health during, or as a proximate result of, any customary or reasonably foreseeable handling or use and which is listed in the Alabama Substance List compiled in accordance with the provisions of Section 4, and which is manufactured, produced, used, applied, or stored in the workplace.

(23) "Trade secret" means any confidential formula, pattern, process, device, information, or compilation of information, including chemical name or other unique chemical identifier, that is used in an employer's business, and that give the employer an opportunity to obtain an advantage over competitors who do not know or use it.

(24) "Work area" means a room or defined space in a workplace where toxic substances are produced, used, or applied and where employees are present in the course of their employment.

(25) "Workplace" means an establishment or business of an employer at one geographic location at which work is performed and which contains one or more work areas. In the case of the state or any of its political subdivisions acting as an employer, the workplace shall be defined as all work areas wholly owned or controlled by the state or said subdivisions. In the case of an independent contractor or subcontractor, the workplace shall be defined as all work areas wholly owned or controlled by said independent contractor or subcontractor.

Section 3. Liability and responsibility of independent contractor, general contractor and subcontractor.

(1) For purposes of compliance with this act, an independent contractor or subcontractor shall be responsible for his employees in the workplace of another employer.

(2) In case a general contractor sublets any part or parts of his contract work to a subcontractor or subcontractors, all of the employees of such general contractor and subcontractor or subcontractors engaged on such contract work shall be deemed to be employed in one and the same business or establishment, and the general contractor shall be responsible for satisfying the provisions of Sections 6, 7, 8, and 10 of this act, except with respect to employees of a subcontractor who has complied with such provisions.

(3) In those instances where the general contractor carried out the provisions of Sections 6, 7, 8, and 10 of this act with respect to the employees of a subcontractor, his liability to such employees shall be limited solely to the provisions of this act and shall in no way absolve the liabilities imposed upon the subcontractor with respect to said employees by any other statute or common law.

Section 4. Determination of substance list.

(1) For the purposes of this act, the department acting through the environmental management commission, shall promulgate the Alabama Substance List and shall make said list available to manufacturers and employers. Substances on the list may be designated by their chemical name or common name. Only those substances specifically enumerated on the list shall be subject to the provisions of this act. The department shall prepare and acting through the environmental management commission shall amend the list according to the department's established procedures for rule promulgation. A substance shall be placed on the list only after a finding that, according

to a preponderance of the evidence, substantial and valid scientific evidence exists that exposure to, or use of, the substance will result in acute or chronic risk to human health or safety. The list shall become official for purposes of Sections 6, 7, 8, and 10 of this act upon adjournment of the 1986 regular session of the Legislature unless the Legislature affirmatively delays implementation of such list prior to adjournment. The department shall, not later than 45 days prior to the convening of the 1987 regular session of the legislature and every regular session thereafter, make recommendations for revision of the list to the Lieutenant Governor and the Speaker of the House of Representatives. Such revised list shall become effective upon promulgation of the revisions through the environmental management commission and adjournment of each regular session of the legislature in the year in which the revision was promulgated unless the legislature affirmatively delays implementation of such list prior to adjournment. If at any time it is found that a substance that is not on the revised list poses a serious threat to human health or safety, the department may promulgate emergency revisions to the list according to the department's established procedures for rule promulgation. The emergency revisions shall become effective upon promulgation and shall remain effective unless the legislature in the next regular or special session repeals them.

(2) The list shall contain only specific chemical substances. Generic substances or categories are to be excluded. The list shall be drawn exclusively from those chemical substances enumerated in the most current edition of the following designated source lists:

(a) International Agency for Research on Cancer (Sublist: "Substances found to have at least sufficient evidence of carcinogenicity in animals").

(b) National Toxicology Program List of chemicals published in the Annual Report on Carcinogens.

(c) Occupational Safety and Health Administration Toxic and Hazardous Substances — 29 CFR 1910, Subpart Z.

(d) National Institute for Occupational Safety and Health/Occupational Safety and Health Administration Occupational Health Guidelines for Chemical Hazards.

(e) American Conference of Governmental Industrial Hygienists Threshold Limit Value for Chemical Substances and Physical Agents in the Workplace.

(f) Environmental Protection Agency Carcinogenic Assessment Group's List of Carcinogens.

(g) National Cancer Institute (Substances that meet the National Toxicology Program criteria for significant carcinogenic effect).

(h) National Fire Protection Association Hazardous Chemicals (NFPA 49).

(i) National Fire Protection Association Fire Hazard Properties of Flammable Liquids, Gases, Volatile Solids (NFPA 325M). (All items rated II through IV as health hazards or III through IV as flammability or reactivity hazards.)

(3) The department acting through the environmental management commission shall promulgate and when necessary amend according to the department's established procedures regulations establishing concentrations for

toxic substances in mixtures to be subject to the provisions of this act. Such concentration levels shall be consistent with scientific evidence available at the time of promulgation regarding threshold levels and other pertinent toxicity data. The manufacturer of a toxic substance shall notify the department of any valid evidence which indicates either:

(a) The concentration requirement for a toxic substance is higher than what is necessary to protect employees who work with or may be exposed to the substance; or

(b) That the concentration levels should be lowered because there is valid and substantial evidence that the substance is extraordinarily toxic.

(4) The provisions of this act shall not apply to:

(a) Impurities which develop as intermediate materials during chemical processing but are not present in the final mixture and to which employee exposure is unlikely;

(b) Substances which are toxic solely due to chronic ingestion;

(c) Alcoholic beverages as defined in the Code of Alabama (1975);

(d) Articles intended for personal consumption by employees in the workplace;

(e) Articles packaged for distribution to, and used by, the general public;

(f) Articles sold or used in retail food establishments and retail trade establishments;

(g) Substances which are merely being transported through the state as part of a through-shipment in interstate commerce; or

(h) Substances or mixtures which may be toxic but which are labeled pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, the Federal Food, Drug and Cosmetic Act, as amended, and the Federal Resource Conservation and Recovery Act.

(5) The department shall review the Alabama Substance List annually. Any revision of the Alabama Substance List shall be made according to the department's established procedures for rule promulgation and upon the department finding that, according to a preponderance of the evidence, substantial and valid scientific evidence exists that any substances added pursuant to this subsection result in an acute or chronic risk to human health or safety.

(6) Substances not present on the Alabama Substance List established pursuant to this section shall not be subject to the provisions of this act.

(7) The department shall be responsible for the dissemination of appropriate information available on the nature and hazards of toxic substances from the Chemical Substance Information network of the Federal Environmental Protection Agency and the Health Hazard Evaluation Program of the National Institute of Occupational Safety and Health (NIOSH). The department shall promptly assist employers, employees, and state personnel with inquiries concerning the toxic nature of such substances.

Section 5. Toxic Substances Advisory Council; creation; membership; meetings.

(1) There is hereby created a state Toxic Substances Advisory Council to assist the department in reviewing and preparing the Alabama Substances List.

(a) The council shall consist of nine members selected by the Governor. From a list of twenty names submitted by the Associated Industries of Alabama, the Governor shall select four members. From a list of twenty names submitted by the Alabama Labor Council, the Governor shall select four members. The Governor shall select a chairman of the council from the general population of Alabama to serve for a period of four years. Initially, the Governor shall appoint from the said Associated Industries of Alabama list four members for the following terms: one member for a period of four years; one member for a period of three years; one member for a period of two years; and one member for a period of one year. Initially, the Governor shall appoint from the said Alabama Labor Council list four members for the following terms: one member for a period of four years; one member for a term of three years; one member for a term of two years; and one member for a term of one year. Any vacancies by a member appointed from the said Alabama Labor Council list shall be filled for the remaining names on such list for the remainder of the unexpired term. Any vacancy in the position of chairman shall be filled by the Governor from the general population of Alabama for the remainder of the unexpired term. Thereafter, all members shall be appointed for four-year terms in the same manner as the initial members were appointed.

(b) The Toxic Substances Advisory Council members shall be appointed by the Governor on or before July 1, 1985.

(c) The council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the director, or at such times as may be prescribed by its rules, but not less than twice a year. The council shall make a report of each meeting, which shall include a record of its discussions and recommendations. The department shall make such reports available to any interested person or group.

(d) Members of the council shall serve without compensation but shall be entitled to receive reimbursement for per diem and traveling expenses.

(2) The initial recommendations of the Toxic Substances Advisory Council shall be made in a report to the director on or before January 1, 1986.

(3) The department shall consider the advice and recommendations of the Toxic Substances Advisory Council in promulgating the Alabama Substances List and its amendments. In compiling the initial Alabama Substance List, the Toxic Substances Advisory Council shall recommend only substances for which, according to the preponderance of the evidence, substantial and valid scientific evidence exists that such substances result in an acute or chronic risk to human health or safety. If the department rejects the advice and recommendations of the Toxic Substances Advisory Council, the department must provide written reasons for such rejection.

(4) The Toxic Substances Advisory Council shall submit its recommendations to the department for the revision of the Alabama Substance List on or before January 1 of each year.

Section 6. Notice requirements.

(1) The manufacturer, importer or distributor of any toxic substance shall prepare and provide the direct purchasers of said toxic substances and,

upon request, the department, with an MSDS which, to the best of the manufacturer's, importer's or distributor's knowledge, is current, accurate, and complete, based on information then reasonably available to the manufacturer, importer, or distributor.

(2) Any person who produces a mixture may, for the purposes of this section, prepare and use a mixture MSDS, subject to the provisions of subsection 11.

(3) A manufacturer, importer, distributor, or employer may provide the information required by this section on an entire mixture, instead of on each toxic substance in it, when all of the following conditions exist:

(a) Toxicity test information exists on the mixture itself or adequate information exists to form a valid judgment of the toxic properties of the mixture itself and the MSDS indicates that the information presented and the conclusions drawn are from some source other than direct test data on the mixture itself, and that an MSDS on each constituent toxic substance identified on the MSDS is available upon request.

(b) Provision of information on the mixture will be as effective in protecting employee health as information on the ingredients.

(c) The toxic substances in the mixture are identified on the MSDS unless it is either infeasible to describe all the ingredients in the mixture or the identity of the ingredients is itself a valid trade secret; provided, that in either case, the reason why the toxic substances in the mixture are not identified shall be stated on the MSDS.

(d) A single mixture MSDS may be provided for more than one formulation of a product mixture if the information provided does not vary for the formulation.

(4) A manufacturer, importer, or distributor who is responsible for preparing and transmitting an MSDS under the provisions of this section shall revise said MSDS on a timely basis, as appropriate to the importance of any new information which would affect the contents of the existing MSDS, and in any event within 3 months of such information becoming available to the manufacturer, importer, or distributor.

(5) Any person subject to the provisions of this section shall be relieved of the obligation to provide a direct purchaser of a toxic substance with an MSDS:

(a) If he has a record of having provided the direct purchaser with the most recent version of the MSDS;

(b) If the substance is labeled pursuant to:

1. The Federal Insecticide, Fungicide, and Rodenticide Act;
2. The Atomic Energy Act;
3. The Food, Drug and Cosmetics Act;
4. The Resource Conservation Recovery Act; or

(c) If the article is one sold at retail and is incidentally sold to an employer or the employer's employees in the same form, approximate amount, concentration, and manner as it is sold to consumers, and, to the seller's knowledge, employee exposure to the article is not significantly greater than

the consumer exposure occurring during the principal consumer use of the article.

(6) If an employer, other than an employer regulated pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is not supplied with an MSDS by a manufacturer, importer, or distributor for a toxic substance other than a substance or mixture regulated pursuant to the Food, Drug and Cosmetics Act, the Atomic Energy Act, or the Resource Conservation Recovery Act, pursuant to the mandates of this section, said employer shall, within a reasonable amount of time after discovering that an MSDS has not been supplied, use diligent efforts to obtain said MSDS from the manufacturer, importer or distributor. For purposes of this subsection, "diligent efforts" shall mean a prompt inquiry by the employer to the manufacturer, importer or distributor of the toxic substances; provided, however, that an independent contractor or subcontractor shall be responsible for obtaining the MSDS for his employees in the workplace of another; and, provided further, that for an independent contractor, subcontractor, the state, or any of its political subdivisions acting as an employer, "diligent efforts" shall mean a prompt inquiry to the manufacturer, importer, distributor, or to the owner of a workplace when applicable.

(7) If after having used diligent efforts, an employer still fails to obtain an MSDS, he shall request the department to obtain said MSDS on his behalf.

(8) An employer who has used diligent efforts as defined herein and who has made a documented request to the department pursuant to this section shall not be found in violation of this section with respect to the MSDS which was not supplied by the manufacturer, importer or distributor as required by this section.

(9) Every employer, except as provided in subsection (10), who manufacturers, produces, uses, applies, or stores toxic substances in the workplace shall post a notice as prescribed by rule promulgated by the department in a place where notices are normally posted, informing employees of their rights under this act.

(10) Any employer regulated pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, shall post a notice as prescribed by rules promulgated by the department in a place where notices are normally posted, informing employees of their education and training requirements. Such an employer is exempt from all other provisions of this act.

(11) Every employer who manufactures, produces, uses, applies, or stores toxic substances in the workplace shall maintain an MSDS for each product which is present in said workplace. All MSDS's shall be readily available in the workplace.

(a) An MSDS may be kept in any form, including operations procedures, and may be designed to cover groups of toxic chemicals in a work area where it may be appropriate to address the hazards of a process rather than individual toxic chemicals. However, the employer shall ensure that in all cases the required information is provided for each toxic chemical, and is readily accessible during each workshift to employees when they are in their work area.

(b) Any employee or his designated representative may request in writing and shall have the right to examine and obtain the MSDS's for the toxic substances to which he is, has been, or may be exposed. The employer shall

provide any MSDS within its possession within 5 of the requesting employee's working days, subject to the provisions of subsection (7). The employer may adopt reasonable procedures for acting upon such requests to avoid interruption of normal work operations.

(c) An independent contractor or subcontractor working in the workplace of another employer may request in writing and shall have the right to examine the MSDS's for the toxic substances to which he or his employees, are, have been, or may be exposed. The employer shall provide any MSDS within its possession within 5 of the requesting independent contractor's or subcontractor's working days, subject to the provisions of subsection (7). The employer may adopt reasonable procedures for acting upon such requests to avoid interruption of normal work operations.

(d) If an employee who has requested an MSDS pursuant to this act has not received said MSDS within 5 of the requesting employee's working days, subject to the provisions of subsection (7), that employee may refuse to work with the substance for which he has requested the MSDS until said MSDS is provided, however, that nothing contained herein shall be construed to permit any employee of the state or any of its political subdivisions to refuse to perform essential services; and provided, further, that nothing shall be construed to interfere with the right of the employer to transfer an employee who so refuses to work to other duties until said MSDS is provided, such a transfer not to be considered as a discriminatory act under Section 8 of this act. No pay, position, seniority, or other benefits shall be lost for exercise of any right provided by this act as a result of such a transfer.

(12) For the purposes of this section, an independent contractor, subcontractor, the state, or any of its political subdivisions shall maintain MSDS's for their own workplaces only; provided, however, that employees of such independent contractor or subcontractor, insofar as they are exposed in the course of their employment to toxic substances in other workplaces, shall have the right to examine MSDS's for those substances to which they are exposed from the workplace employer through a written request to their own employer as provided in paragraph (b) of subsection (11).

(13) Employers must advise employees that they can obtain further information from the department.

(14) Nothing contained in this act shall be construed to require an employer to conduct studies to develop new information.

Section 7. Employee education and training.

(1) Employers shall furnish employees with instruction on the nature and effects of those toxic substances present in the workplace either in written form or in training programs as may be appropriate. Such instruction shall be in nontechnical language, but may be generic to the extent appropriate and related to the job. Such instruction shall include:

(a) The chemical name and any common names, unless withheld from an MSDS as a trade secret, of the toxic substance to which an employee may be exposed under normal operating conditions;

(b) The location of the substance in the workplace;

(c) Appropriate first aid treatment and antidotes in the event of improper exposure or overexposure;

(d) The proper and safe handling of said substance;

(e) The health effects of said substance as described in the relevant MSDS;

(f) Appropriate emergency treatment;

(g) The procedures for clean-up of leaks and spills of such substances;

(h) The potential for flammability, explosion, and reactivity of such substances; and

(i) The rights and duties of employees as set forth in this act.

(2) Employers shall provide their current employees with instruction as described herein within 9 months of the effective date of the list promulgated pursuant to this act and at least annually thereafter, and, for employees hired thereafter, within the first 30 days of employment and at least annually thereafter.

Section 8. Employee rights.

(1) No person shall discharge or cause to be discharged, or otherwise discipline, or in any manner discriminate against, any employee for any of the following reasons:

(a) The employee has requested information regarding toxic substances, filed any complaint or suit, or has instituted, or caused to be instituted, any proceeding under this act;

(b) The employee has testified or is about to testify in any proceeding in his own behalf or on behalf of others; or

(c) The employee has exercised any other right afforded pursuant to the provisions of this act.

(2) No pay, position, seniority, or other benefits shall be lost for exercise of any right provided by this act.

(3) A violation of this section by the employer shall create in the employee a private cause of action cognizable in the circuit court. An employee who believes that he has been discharged, disciplined, or in any manner discriminated against by this employer for reasons of exercising rights under this act may, within 120 days of such violation or within 120 days after obtaining knowledge that a violation did occur, file a cause of action. The court shall award a reasonable attorney's fee and costs to the prevailing party arising from a suit filed pursuant to this section.

Section 9. Trade secrets.

(1) A trade secret claim may be made by a chemical manufacturer or employer by withholding the specific chemical identity from the MSDS, provided that:

(a) The claim that the information withheld is a trade secret can be supported;

(b) Information contained in the MSDS concerning the properties and effects of the toxic substance is disclosed;

(c) The MSDS indicates that the specific chemical identity is being withheld as a trade secret; and

(d) The specific chemical identity is made available to health professionals, in accordance with the applicable provisions of this section.

(2) Where a treating physician or nurse determines that a medical emergency exists and the specific chemical identity of a toxic chemical is necessary for emergency or first-aid treatment, the chemical manufacturer or employer shall immediately disclose the specific chemical identity of a trade secret chemical to that treating physician or nurse, regardless of the existence of a written statement of need or a confidentiality agreement. The chemical manufacturer or employer may require a written statement of need and confidentiality agreement, in accordance with the provisions of subsections (3) and (4), as soon as circumstances permit.

(3) In nonemergency situations, a chemical manufacturer or employer shall, upon request, disclose a specific chemical identity, otherwise permitted to be withheld under subsection (1), to a health professional if:

(a) The request is in writing;

(b) The request describes with reasonable detail one or more of the following occupational health needs for the information:

1. To assess the toxicity of the chemicals to which employees will be exposed;

2. To conduct or assess sampling of the workplace atmosphere to determine employee exposure levels;

3. To conduct pre-assignment or periodic medical surveillance of exposed employees;

4. To provide medical treatment to exposed employees;

5. To select or assess appropriate personal protective equipment for exposed employees;

6. To design or assess engineering controls or other protective measures for exposed employees; and

7. To conduct studies to determine the health effects of exposure.

(c) The request explains in detail why the disclosure of the specific chemical identity is essential and that, in lieu thereof, the disclosure of the following information would not enable the health professional to provide the occupational health services described in this subsection:

1. The properties and effect of the chemical;

2. Measures for controlling workers' exposure to the chemical;

3. Methods of monitoring and analyzing worker exposure to the chemicals; and

4. Methods of diagnosing and treating harmful exposures to the chemical.

(d) The request includes a description of the procedures to be used to maintain the confidentiality of the disclosed information; and

(e) The health professional and the employer or contractor of the health professional's services (i.e., downstream employer, labor organization, or individual employer) agree in a written confidentiality agreement that the health professional will not use the trade secret information for any purpose other than the health needs asserted and agree not to release the information under any circumstances other than to the department, as provided in

subsection (6) of this section, except as authorized by the terms of the agreement or by the chemical manufacturer or employer.

(4) The confidentiality agreement authorized by paragraph (d) of subsection (3):

(a) May restrict the use of the information to the health purposes indicated in the written statement of need;

(b) May provide for appropriate legal remedies in the event of a breach of the agreement, including stipulation of a reasonable preestimate of likely damages; and

(c) May not include requirements for posting of a penalty bond.

(5) Nothing in this act is meant to preclude the parties from pursuing noncontractual remedies to the extent permitted by law.

(6) If the health professional receiving the trade secret information decides that there is a need to disclose it to the department, the chemical manufacturer or employer who provided the information shall be informed by the health professional prior to, or at the same time as, such disclosure.

(7) If the chemical manufacturer or employer denies a written request for disclosure of a specific chemical identity, the denial must:

(a) Be provided to the health professional within 30 days of the request;

(b) Be in writing;

(c) Include evidence to support the claim that the specific chemical identity is a trade secret;

(d) State the specific reasons why the request is being denied; and

(e) Explain in detail how alternative information may satisfy the specific medical or occupational health need without revealing the specific chemical identity.

(8) The health professional whose request for information is denied under subsection (3) may refer the request and the written denial of the request to the director for consideration.

(9) When a health professional or employee refers the denial to the director under subsection (8), the director shall consider the evidence to determine if:

(a) The chemical manufacturer or employer has supported the claim that the specific chemical identity is a trade secret;

(b) If the request is made by a health professional, that the health professional has supported the claim that there is a medical or occupational health need for the information; and

(c) If the request is made by a health professional, that the health professional has demonstrated adequate means to protect the confidentiality.

(10)(a) If the director determines that the specific chemical identity requested under subsection (3) is not a bona fide trade secret, or that it is a trade secret but a requesting health professional has a legitimate medical or occupational health need for the information, has executed a written confidentiality agreement, and has shown adequate means to protect the

confidentiality of the information, the chemical manufacturer or employer will be subject to an order by the director to disclose the specific chemical identity to the health professional, or disclose the specific chemical identity to the employee if it is not a bona fide trade secret.

(b) If a chemical manufacturer or employer demonstrates to the director that the execution of a confidentiality agreement would not provide sufficient protection against the potential harm from the unauthorized disclosure of a trade secret's specific chemical identity, the director may issue such orders or impose such additional limitations or conditions upon the disclosure of the requested chemical information as may be appropriated to assure that the occupational health services are provided without an undue risk of harm to the chemical manufacturer or employer.

(11) Notwithstanding the existence of a trade secret claim, a chemical manufacturer or employer shall, upon request, disclose to the department any information which this section requires the chemical manufacturer or employer to make available.

(12) Nothing in this section shall be construed as requiring the disclosure, under any circumstances, of process or percentage-of-mixture information which is a trade secret.

Section 10. Notice to fire departments, emergency medical service providers, and law enforcement agencies required.

(1) An employer, unless specifically exempted pursuant to subsection (4), shall provide within 9 months after the effective date of this act to the person responsible for the administration and direction of a fire department in a county, municipality, or political subdivision, including a fire chief or fire administrator or that person's designee:

(a) A list of work areas, sufficiently identified by name and location, where toxic substances are present, containing the chemical and common name of each substance regularly present unless such information is protected pursuant to the trade secret provisions of this act; and

(b) Upon request, any MSDS for each toxic substance regularly present.

(2) Whenever circumstances regarding the name and location of the substance change sufficiently to warrant an updated report, the employer shall update the information provided pursuant to subsection (1).

(3) Employers who become covered under this act after October 1, 1987, shall provide the information required by subsection (1) within 60 days after becoming covered.

(4) An employer operating a plant or facility which continues in operation, including maintenance periods, 24 hours a day, 7 days a week, 365 days a year, shall not be required to provide the information specified in subsection (1) with respect to any such plant or facility, provided that such plant or facility is manned at all times by personnel qualified to provide such information.

(5) The person responsible for the administration and direction of a fire department in a county, municipality, or political subdivision, including a fire chief or fire administrator or that person's designee, shall maintain for at least 4 years the information provided by the employer as required in subsection (1) and shall provide copies of such information only to the

following agencies located within the geographic jurisdiction of such fire department:

- (a) Fire suppression and fire inspection divisions;
- (b) Emergency medical service providers; and
- (c) Upon request, law enforcement agencies.

Section 11. Record-keeping. An employer subject to the provisions of this act shall be required to maintain as records for a period of 30 years only the MSDS's required by section 6.

Section 12. Reports. The director shall submit an annual evaluation report on the program outlined in this act to the Governor and to the members of the Legislature. The report shall include a statement of the scope, status, and quality of the program, and the costs associated with the program.

Section 13. Penalties.

(1) Any employer who fails to comply with the provisions of this act shall be liable for a civil penalty not to exceed \$1,000 per violation in addition to any other damages for which an employer may be liable pursuant to any other provision of law. This civil penalty shall be assessed by the director. The department may bring an action in the circuit court in the county where the employer's workplace is situated against any person or persons alleged to have violated the provisions of this act to collect a penalty assessed by the director under this act or to obtain injunctive relief to restrain violations of this act. In any such action, the circuit court shall have the jurisdiction to grant such relief. An employer shall not be considered to be in violation of this act in instances where injury or death occurs as the result of contact with or exposure to a substance which a reasonably prudent adult would or should recognize to be hazardous as a matter of common knowledge.

Section 14. Local standards prohibited. Units of local government, are strictly prohibited from enacting or promulgating any rules, standards, or ordinances relating to toxic substances in the workplace.

Section 15. Any federal statute, or rule or regulation adopted pursuant to such statute, which statute, rule, or regulation is equal or more stringent than the comparable provisions of this act shall prevail over the less stringent provisions of this act.

Section 16. This act shall become effective immediately upon:

- (1) Its passage and approval by the Governor, or upon its otherwise becoming a law; and
- (2) The department being provided with funding sufficient to administer the act during fiscal year 1986.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Ellis	Little
Aldridge	Cabaniss	Figures	Parsons
Amari	Cooley	Foshee	Smith (B)
Bailey	Corbett	Goodwin	Smith (J)
Barron	Denton	Hand	Strong
Bedford	Dial	Holmes	Teague
Bedsole	Dixon		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 386. Relating to Montgomery County; providing further for the compensation of the tax assessor and tax collector.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you, the legislative body in which it originated, Senate Bill No. 285 without the Governor's signature but with a suggested Executive Amendment and a Message from the Governor of the State of Alabama.

Done this 20th day of May, 1985.

Respectfully submitted,
ELVIN L. STANTON,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the legislative body in which it originated, Senate Bill No. 285, without my signature, but with the following Executive Amendment, which would make said Bill acceptable to me:

**EXECUTIVE AMENDMENT TO SENATE BILL
NO. 285 AS AMENDED:**

Amend Senate Bill No. 285 on page 2, line 14 by inserting after the word "per" and before the word "eligible" the words "month per".

Further amend Senate Bill No. 285 on page 2, lines 19 and 20 by deleting the words "general fund budget" and inserting in lieu thereof the following:

"appropriations made for active employees from employer funds pursuant to subsection (c) of Section 36-29-7, Code of Alabama, 1975."

Done this 20th day of May, 1985.

Respectfully submitted,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Senator Teague, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 285. To provide further for group health insurance for certain retired employees receiving monthly benefits from the employees' retirement system of Alabama or from the teachers' retirement system; to amend section 36-29-10, Code of Alabama 1975, providing for the election by certain employees to continue coverage under the state employees' health insurance plan by the deduction of a portion of the premium for such coverage from their monthly benefit payments, so as to allow the first year funding from the State Employees Health Insurance Plan and the state to assume all subsequent funding; to amend §16-25A-1, Code of Alabama 1975, to further define retired employee under the public education employees' health insurance plan.

which said amendment is set out in the foregoing Message from the Governor, by a vote of

Yeas 22; Nays 0.

Yeas:

Senators:	Covington	Figures	Parsons	
Amari	deGraffenried	Foshee	Smith (B)	
Barron	Denton	Hand	Smith (J)	
Bedford	Dial	Holmes	Strong	
Cabaniss	Dixon	Horn	Teague	
Cooley	Ellis	Little		—22

Nays: —0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the House amendment to the Senate Bill:

S. 218. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Clark (J), Adams, and Holley.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

H. 146. To amend §41-16-21 of the Code of Alabama 1975 to exempt from the provisions of the law on competitive bidding on public contracts

purchases by any hospital or other medical facility operated by any state department, board, bureau, commission, committee, institution, corporation, authority or office.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

CONFERENCE COMMITTEE REPORT ON H. B. 146

We, the Committee of Conference appointed to reconcile the differences between the two Houses concerning H. B. 146, have met, considered the bill and have agreed to the following report:

We recommend that the Senate Amendment be adopted and that the following conference committee amendment be adopted and then the bill as amended be passed by both Houses.

AMENDMENT TO H. B. 146 BY: CONFERENCE COMMITTEE

Amend House Bill 146, page 2, line 13, after the word "or" by inserting the work campus and on line 14, after the word "facility" by inserting the following:

which has a total licensed bed capacity no less than 800 beds at the time of passage of this act,

JACK BIDDLE, III,
JOHN ROGERS,
GEORGE PERDUE,
Conferees on the part of the House.
FRED HORN,
MAC PARSONS,
JIM BENNETT,
Conferees on the part of the Senate.

HOUSE AND CONFERENCE MESSAGE

On motion of Senator Horn, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 146, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 21; Nays 1.

Yeas:

Senators:	deGraffenried	Goodwin	Mitchem
Aldridge	Denton	Hand	Parsons
Barron	Dial	Holmes	Smith (B)
Bennett	Dixon	Horn	Strong
Cabaniss	Drinkard	Langford	Teague
Cooley	Ellis		

—21

Nay Senator Little

—1

REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 340. COMMENDING MS. EULENE HAWKINS UPON INITIATION OF THE EULENE HAWKINS SOCIAL WORK AWARD AT TROY STATE UNIVERSITY IN RECOGNITION OF HER LIFETIME SERVICE TO THE STATE OF ALABAMA AND THE NATION.

Also:

H. J. R. 365. BESTOWING HONORARY MARSHALL COUNTY CITIZENSHIP ON U. S. CONGRESSMAN TOM BEVILL.

Also:

H. J. R. 413. COMMENDING MR. BILL VAUGHAN, MIDFIELD, ALABAMA, "PARAMEDIC OF THE YEAR."

Also:

H. J. R. 375. COMMENDING POLICE CHIEF C. E. CARTER OF ALABASTER, ALABAMA.

Also:

H. J. R. 357. NAMING THE STUDENT CENTER AT JOHN C. CALHOUN STATE COMMUNITY COLLEGE, THE "JAMES R. CHASTEEN STUDENT CENTER."

Also:

H. J. R. 361. COMMENDING GLENN E. MESSER, BIRMINGHAM, ALABAMA, ON HIS NUMEROUS AVIATIONAL ACHIEVEMENTS.

On motion of Senator Parsons, the Resolutions were then concurred in and adopted by the Senate.

REPORT OF CONFERENCE COMMITTEE ON S. B. 218

We, the Committee on Conference, appointed to reconcile the differences of the two houses concerning Senate Bill 218 have met in conference and have agreed to accept the attached substitute.

SENATE CONFEREES

Senator Lowell Barron

Senator Roger Bedford

Senator Hinton Mitchem

HOUSE CONFEREES

Charles H. Adams

Jimmy W. Holley

James S. Clark

CONFERENCE COMMITTEE SUBSTITUTE FOR S. B. 218**A BILL TO BE ENTITLED AN ACT**

To amend Section 12-13-20, Code of Alabama, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

REGULAR SESSION
30th Day

1885

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-13-20, Code of Alabama, 1975, as amended, is hereby amended to read as follows:

"Section 12-13-20. (a) No probate judge who is on a salary and who serves as chairman of the county commission shall receive total compensation less than ~~\$30,000.00~~ \$35,000.00 per year beginning on October 1, 1985 and less than \$40,000.00 per year beginning on October 1, 1986, for serving as chairman and probate judge. This section in no way affects probate judges earning more than ~~\$30,000.00~~ \$35,000.00 per year on October 1, 1985 and more than \$40,000.00 per year on October 1, 1986.

(b) No probate judge who is on salary and who does not serve as chairman of the county commission shall receive total compensation less than ~~\$27,500.00~~ \$32,500.00 per year beginning on October 1, 1985 and less than \$37,500.00 per year on October 1, 1986.

(c) Any necessary funds needed to ensure a probate judge shall receive a total compensation of ~~\$30,000.00~~ \$35,000.00 or \$40,000.00 per year or ~~\$27,500.00~~ \$32,500.00 or \$37,500.00 per year as the case may be, shall be paid out of the respective county's general fund.

(d) The provisions of this section shall not affect the compensation of probate judges of counties where said judges are compensated on the basis of the fee system.

~~(e) Any increase in salary provided in the provisions of this section shall not apply unless approved by a resolution of the county governing body.~~

Section 2. This bill shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

CONFERENCE REPORT

On motion of Senator Barron, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. B. 218. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

Yeas 17; Nays 1.

Yeas:

Senators:	deGraffenried	Hilliard	Mitchem
Barron	Denton	Horn	Parsons
Bedford	Drinkard	Little	Strong
Bedsole	Ellis	Menton	Teague
Corbett	Goodwin		

Nay Senator Cabaniss

—17

—1

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 303. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business

taking precedence over all other matters upon reaching bills on third reading for the 30th legislative day of the 1985 Regular Session only:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
HB 603	Alabama Indian Affairs Comm.	6
HB 590	To create Pollution Control Grant Fund	25
HB 280	AL Dept. of Environmental Mgt.	24
HB 626	Rat. of organ. & operation of reg. plan & dev. comm.	8
HB 627	Highway Director, auth. to admn. public trans. programs	19
HB 542	Relating to the sub. allow. for cert. law enf. officers	35
HB 1045	Payment and inspection fees by utilities and transportation companies	60
HB 70	Rel. Members of the State Committee of Public Health	4
HB 115	Eminent Scholars	28
HB 64	Veteran Affairs	64
HB 72	Alabama State Docks Property	7
HB 854	To create and est. the AL Mining Academy	59
HB 708	Comp. Fed. Lend. Law	48
HB 606		

On motion of Senator Denton, the Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the second special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 603. To amend Section 41-9-708, Code of Alabama 1975, relating to the Alabama Indian Affairs Commission, so as to give the Ma-Chis Lower Creek Indian Tribe representation on said commission.

The Standing Committee on Governmental Affairs reported the following amendment to the Bill, H. B. 603, to-wit:

COMMITTEE AMENDMENT TO H. B. 603

Amend House Bill 603, Page 1, Line 20, by inserting after the word "tribe" the following:

"and the Chattoga Cherokee Indian tribe of North Alabama"

On motion of Senator Foshee, said amendment was laid on the table.

Senator Foshee then offered the following amendment to the Bill, H. B. 603, to-wit:

AMENDMENT TO H. B. 603

On page 1, on line 12, after the word "commission" insert:

and to authorize the commission to recognize certain additional tribes, bands or groups

On page 1, on line 21, after the word "commission" insert:

and to authorize the commission to recognize certain additional tribes, bands or groups

On page 1, on line 31 after the language "shall be composed of" insert:
at least

On page 2, on line 23, after the period insert:

The commission shall have the power to recognize additional Indian tribes, bands or groups. The commission shall adopt appropriate procedure for such recognition process. Any recognized Indian tribe, band, or group shall be entitled to have one (1) representative on the Commission who shall be appointed for an initial term of three (3) years by the Governor and subject thereafter to the same requirements and privileges as specified in subsections (b) and (c) and any other applicable sections. Said member shall be granted the same voting powers accorded other members.

On page 2, on line 31 after the word "years." insert:

The initial term of office for persons who are granted membership upon the recognition of their tribe, band or group by the commission shall be as provided in subsection (b).

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Little	
Aldridge	Cooley	Goodwin	Parsons	
Bedford	Corbett	Hand	Strong	
Bedsole	Dixon	Horn	Teague	
Bennett	Drinkard	Langford		—18

Nays: —0

And said Bill, H. B. 603, as thus amended, was read a third time at length and passed.

Yeas 19: Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Little	
Aldridge	Corbett	Foshee	Parsons	
Bedford	Covington	Hand	Smith (J)	
Bennett	Drinkard	Horn	Strong	
Bishop	Ellis	Langford	Teague	—19

Nays: —0

JOINT INTERIM COMMITTEE REPORT FILED

Pursuant to the provisions of Act No. 84-229, the report of the Joint Interim Legislative Committee on the Coosa River Navigation Project was filed with the Secretary.

RESOLUTION

Senator Aldridge offered the following Senate Resolution, to-wit:

S. R. 304. COMMENDING JEAN BLACKMON, BETH WILLIAMS AND BETTY ZIRI OF MONTGOMERY, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Which was adopted.

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 590. To create the Pollution Control Grant Fund and authorize the Alabama Department of Environmental Management to make grants in accordance with any terms or stipulations attached to moneys deposited into the fund or to make grants to any county, municipality or public corporation, agency or instrumentality from such fund for the purpose of pollution control, abatement or prevention and to adopt rules and regulations to carry out the provisions of this Act.

was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Senators:	Bishop	Hand	Mitchem
Aldridge	Cabaniss	Hilliard	Smith (B)
Bailey	Ellis	Horn	Smith (J)
Bedford	Figures	Langford	Strong
Bedsole	Foshee	Little	Teague
Bennett	Goodwin		

—21

Nays:

—0

RESOLUTION

Senator Little offered the following Senate Resolution, to-wit:

S. R. 305. CONGRATULATING AND COMMENDING REELTOWN HIGH SCHOOL MARCHING BAND ON ITS OUTSTANDING 1984 MARCHING SEASON.

Which was adopted.

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 280. To repeal Sections 22-30-5 and 22-30-7, Code of Alabama as amended, which provide for the dedication and acceptance of hazardous waste storage facilities and disposal sites.

To amend Sections 22-30-4 and 22-30-18, Code of Alabama 1975, as amended, so as to authorize the Alabama Department of Environmental Management to issue and serve subpoenas requiring persons to give testimony or produce papers, documents, records and tangible things and to enforce obedience to such subpoenas; to provide for monitoring of commercial disposal sites; to clarify the public availability and confidentiality of records and information obtained by the Alabama Department of Environmental Management; to permit the Alabama Department of Environmental Management to require monitoring and sampling; and to clarify provisions relating to disposal fees.

was taken up.

The Standing Committee on Health and Welfare reported the following amendment to the Bill, H. B. 280, to-wit:

COMMITTEE AMENDMENT TO H. B. 280

Amend House Bill 280 by striking Section 1 (3) (c), beginning on page 3, line 14, and inserting in lieu thereof the following:

“(c) The state health officer, or any employee of the board designated by the state health officer, may administer oaths to witnesses and may conduct hearings or investigations, and the state health officer may sign and issue subpoenas requiring persons to appear before him, the board or any employee of the board designated by the state health officer to give testimony or produce papers, books, accounts, payrolls, documents (including writings, drawings, graphs, charts, photographs, electronic readings and other data compilations from which information can be obtained, translated, if necessary, by the person subpoenaed, through detection devices into reasonably usable form), records or tangible things and the board through its designated employees, shall have the power to serve said subpoenas upon such person either personally or by sending a copy of such subpoena through the United States mail, postage prepaid, which said mail shall be registered or certified with return receipt attached, such service being complete when said registered or certified mail shall be delivered to said person and such receipt returned to the board, or its designated employee, signed by the person sought to be subpoenaed. Obedience to a subpoena issued by the board or any duly designated employee of the board may be enforced by application to any judge of the circuit court of the county in which said subpoena was issued or to the judge of any circuit court in which such person subpoenaed resides in the same manner as is provided by law for the grand jury of a county to enforce its subpoenas and with the same penalty as provided therefor for the failure of any person failing or refusing to comply with such subpoena. The fees of witnesses for attendance and travel shall be the same as fees of witnesses before courts of record and shall be paid from the funds of the board.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 411. Relating to Morgan County; further amending Section 2 of Act No. 80-167, S. 299, Regular Session 1980 (Acts 1980, p. 245), as amended, relating to the distribution of payments by Tennessee Valley Authority in

lieu of ad valorem taxes, so as to extend the period for the present distribution formula.

Also:

S. 550. Relating to Montgomery County; to legalize the sale of draft or keg beer or malt beverages.

Also:

S. 555. To make supplemental appropriations from the Public Road and Bridge Fund to the State Highway Department for the fiscal year ending September 30, 1985.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 305. To provide for the reopening of the Employees' Retirement System of Alabama to those municipal officers and employees who are members of the Employees' Retirement System of Alabama on June 1, 1984, and who have prior employment with other municipalities for which they are ineligible to gain credit.

Also:

S. 641. To fix the supplemental salaries of the circuit judges of the 15th Judicial Circuit.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 280

The Senate proceeded to further consideration of the Bill, H. B. 280. The question was on the committee amendment.

And said amendment was then adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Mitchem
Aldridge	deGraffenried	Hilliard	Parsons
Bedford	Denton	Horn	Smith (B)
Bedsole	Drinkard	Langford	Smith (J)
Bennett	Ellis	Little	Strong
Bishop	Foshee	Menton	Teague

—23

Nays:

—0

And said Bill, H. B. 280, as thus amended, was read a third time at length and passed.

REGULAR SESSION
30th Day

1891

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Menton	
Aldridge	Corbett	Hand	Mitchem	
Barron	deGraffenried	Hilliard	Smith (B)	
Bedford	Denton	Horn	Smith (J)	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 649. Relating to the Sixth Judicial Circuit; to provide for increases in the county supplements of circuit judges.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Senate concurred in and adopted the following House substitute to the Bill, S. B. 649, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 649

**A BILL
TO BE ENTITLED
AN ACT**

Relating to the Sixth Judicial Circuit; to provide for increases in the county supplements of circuit judges of the Sixth Judicial Circuit; to provide for additional expense allowances for the circuit clerk of such judicial circuit; and to provide for certain additional expense allowances and salary increases for the probate judge and certain other officials of the Sixth Judicial Circuit and certain other county officials.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. All circuit judges of the Sixth Judicial Circuit shall receive a county supplement in an amount equal to 35% of the compensation paid said circuit judges by the state. Said supplement shall be in lieu of all previous county supplements. Said supplement shall be paid in the same manner as other county supplements are paid. The probate judge of the county comprising the Sixth Judicial Circuit shall be compensated in accordance with the provisions of Act No. 85-106, H. 1 of the 1985 First Special Session of the Alabama Legislature.

Section 2. The circuit clerk of the Sixth Judicial Circuit shall receive an additional expense allowance in the amount of \$2,500.00 per annum in addition to other expense allowances heretofore provided by law. Said additional supplement shall be paid in the same manner as other county allowances are paid.

Section 3. The other officials of the Sixth Judicial Circuit and the other county officials which are set out in Act No. 77-323, H. 645, Regular Session 1977 (Acts 1977, p. 423), shall hereafter receive in addition to their present salary and expense allowances the additional expense allowance provided for the circuit clerk in Section 2 of this act and any other expense allowances or salary increases which the said circuit clerk shall hereafter receive.

Section 4. The provisions of this act shall not become effective unless all of the increases in compensation provided herein shall have been approved by the county governing body of the county comprising the Sixth Judicial Circuit within 60 days of the passage and upon the approval of this act by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Horn
Aldridge	Cooley	Figures	Little
Amari	Corbett	Foshee	Menton
Bedford	deGraffenried	Goodwin	Mitchem
Bedsole	Denton	Hand	Parsons
Bennett	Dial	Holmes	Sanders
Bishop	Dixon		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 626. To ratify and confirm the organization and operation of twelve regional planning and development commissions in state planning and development districts designated and established by executive order of the Governor pursuant to section 11-85-51, Code of Alabama 1975; and to authorize certain contracts for the purpose of receiving and disbursing governmental and private funds for certain federal, state and local programs.

WHEREAS, the Governor of Alabama by executive order has heretofore defined, designated and established twelve state planning and development districts throughout and within the state of Alabama in keeping with the provisions of section 11-85-51, Code of Alabama 1975; and

WHEREAS, under the provisions of sections 11-85-52 through 11-85-59, Code of Alabama 1975, regional planning and development commissions were authorized to be created by the various governmental units within respective districts; and

WHEREAS, it appears that in attempting to comply with such statutory provisions in the creation of regional planning and development commissions, the various governmental units participating failed to comply with the technical statutory requirements in the creation of their respective regional planning and development commissions within their respective districts, and created their respective commissions in various forms, by formation of nonprofit corporations, by various resolutions of local governments, and by agreements, and/or compacts between local governments; and

WHEREAS, such purported regional planning and development commissions have operated for a number of years as legally created commissions

REGULAR SESSION
30th Day

1893

within their respective districts, and have entered into, performed, and administered and are now performing and administering numerous and varied contracts and have expended and are now expending thereunder federal, state, local governmental and/or private funds for various and sundry programs; now therefore,

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Menton	
Aldridge	deGraffenried	Hand	Mitchem	
Bedford	Denton	Holmes	Smith (B)	
Bedsole	Figures	Langford	Strong	
Bennett	Foshee	Little	Teague	—19

Nays: —0

THE BILL:

H. 627. To relate to the authority of the highway director to administer public transportation programs; to amend sections 23-1-21.1 and 23-1-21.2, Code of Alabama 1975, so as to provide further for such authority of the highway director.

was taken up.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1062. Relating to Franklin County; providing for the disposition of the revenue resulting from certain fees assessed on transactions performed by the tax assessor.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 627

The Senate proceeded to further consideration of the Bill, H. B. 627.

On motion of Senator Cabaniss, further consideration of the Bill, H. B. 627, was postponed subject to the call of the Chair.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 542. Relating to the subsistence allowance for certain law enforcement officers; to amend Section 36-21-2, Code of Alabama 1975, so as to provide that investigators employed by district attorneys shall be paid such allowance; and to make a supplemental appropriation for fiscal year 1985-86 to cover the cost.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Sanders	
Aldridge	Denton	Horn	Smith (B)	
Barron	Dixon	Langford	Smith (J)	
Bedsole	Drinkard	Little	Strong	
Bennett	Foshee	Menton	Teague	
Cooley	Goodwin	Mitchem		—22

Nays:

—0

RESOLUTION

Senator Denton offered the following Senate Joint Resolution, to-wit:

S. J. R. 306. MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REJECT THOSE PORTIONS OF THE PROPOSED TAX SIMPLIFICATION PLANS WHICH WOULD ELIMINATE CAPITAL GAINS TREATMENT FOR THE SALE OF TIMBER AND REQUIRE THE CAPITALIZATION OF COSTS ASSOCIATED WITH GROWING TIMBER, AND URGING THE ALABAMA CONGRESSIONAL DELEGATION TO OPPOSE, WITH ALL THE STRENGTH AT THEIR DISPOSAL, THE PASSAGE OF SUCH A MEASURE.

WHEREAS, the Alabama Legislature has been informed that several proposed Federal tax bills include the substantial elimination of capital gains treatment on the sale of timber and require capitalization of timber growing costs now treated as ordinary expenses; and

WHEREAS, this information has caused the Legislature and a large segment of the population of the State great concern in view of the fact that timber and forest products generally constitute the No. 1 farm crop of the State; and

WHEREAS, the enacting into law of any of these proposals will most certainly affect the economy of the State very adversely; and

WHEREAS, the Legislature notes that many less advantageous crops of this State have, through recent years, been shifted to forests, and that thousands of acres of land formerly planted in less productive crops are now planted in vast forests resulting in great financial gain to the State; and

WHEREAS, the members of the Legislature believe that any effort to saddle this important industry of the State with an additional tax burden would break faith with many of our landowners who have been urged to practice forestry and serve to greatly discourage the further advancement of this most important crop; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby memorialize the Congress of the United States to reject those portions of the tax simplification programs which propose the substantial elimination of the treatment of the sale of timber as capital gains and require the capitalization of ordinary expenses related to the growing of timber.

BE IT FURTHER RESOLVED, That we urge the members of the congressional delegation from Alabama to oppose, with all the strength at their command, the enactment of this legislation.

REGULAR SESSION
30th Day

1895

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the presiding officers of the two Houses in the Congress and to each member of the Alabama Congressional Delegation.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1045. To amend Sections 32-3-41 and 37-4-23, Code of Alabama 1975 relating to payment of inspection and supervision fees paid by utilities and transportation companies so as to provide that such utilities and transportation companies with gross intrastate receipts in excess of \$60,000,000.00 per calendar quarter be required to pay inspection and supervision fees based upon such quarter rather than the preceding fiscal year.

was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Senators:	Corbett	Figures	Little	
Amari	Covington	Foshee	Menton	
Bedsole	Denton	Goodwin	Mitchem	
Bennett	Dixon	Hand	Smith (B)	
Cabaniss	Drinkard	Holmes	Smith (J)	
Cooley	Ellis	Langford	Teague	—23

Nays:

—0

FURTHER CONSIDERATION OF H. B. 627

The Senate proceeded to further consideration of the Bill, H. B. 627.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 771. To regulate transient merchants, provide for licensing of said merchants and provide for penalties for violations.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 954. To amend Act No. 81-446, H. 679, 1981 Regular Session, entitled, "An Act Relating to Mobile County; to provide further for the

compensation of election employees and officers," so as to provide further for said compensation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 3. Relating to Etowah County; to provide further for the election of the members of the county board of education; and to provide a referendum and to make effective upon the approval of certain qualified electors November 1986 general election.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1059. Relating to Madison County, to further regulate the compensation of the board of registrars, by amending Act No. 948, H. 2007, Regular Session 1973, (Acts 1973, p. 1458).

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 707. To alter or rearrange the boundary lines of the Town of Webb, Houston County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Houston County, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1062. Relating to Franklin County; providing for the disposition of the revenue resulting from certain fees assessed on transactions performed by the tax assessor.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 627

The Senate proceeded to further consideration of the Bill, H. B. 627.

And said Bill, H. B. 627, was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Senators:	Denton	Hand	Menton
Bailey	Dixon	Hilliard	Mitchem
Bedsole	Drinkard	Holmes	Smith (B)
Bennett	Ellis	Horn	Smith (J)
Cabaniss	Foshee	Langford	Strong
Corbett	Goodwin	Little	Teague

—23

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 70. To amend §22-2-4, and §22-2-10, Code of Alabama 1975, to provide for the payment of per diem, subsistence, and mileage to the Members of the State Committee of Public Health.

was taken up.

Senator Little offered the following amendment to the Bill, H. B. 70, to-wit:

AMENDMENT TO H. B. 70

Amend House Bill No. 70, Page 1, Lines 36-38, by striking out the sentence beginning on line 36.

On motion of Senator Aldridge, said amendment was laid on the table.

On motion of Senator Hand, further consideration of the Bill, H. B. 70, was postponed subject to the call of the Chair.

THE BILL:

H. 115. To establish the Alabama Endowment Trust Fund for Eminent Scholars; provides that the Alabama Commission on Higher Education shall administer the trust fund; provides for investment of appropriated funds and for the use of accrued interest; provides for matching of funds; provides for the creation of separate foundation trust funds for each university; provides for the expending of the funds; and provides an appropriation.

was taken up.

The Standing Committee on Education reported the following amendment to the Bill, H. B. 115, to-wit:

COMMITTEE AMENDMENT TO H. B. 115

Amend House Bill 115, on Page 1, line 31, by inserting after Troy State University the following:

"Troy State University in Montgomery"

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Corbett	Hilliard	Parsons	
Barron	Covington	Holmes	Sanders	
Bedford	deGraffenried	Little	Smith (B)	
Bedsole	Dial	Menton	Strong	
Cabaniss	Dixon	Mitchem	Teague	
Cooley	Foshee			—21

Nays:

—0

The Standing Committee on Education then reported the following amendment No. 2 to the Bill, H. B. 115, as amended, to-wit:

COMMITTEE AMENDMENT NO. 2 TO H. B. 115, AS AMENDED

Amend House Bill 115, Section 1, by inserting immediately after Auburn University on line 30, page 1, the following:

"Auburn University at Montgomery"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Mitchem	
Aldridge	Covington	Hand	Parsons	
Amari	deGraffenried	Holmes	Sanders	
Bedford	Dial	Langford	Smith (B)	
Bedsole	Dixon	Little	Strong	
Cabaniss	Ellis	Menton	Teague	
Cooley	Foshee			—25

Nays:

—0

And said Bill, H. B. 115, as thus amended, was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Mitchem	
Aldridge	Covington	Goodwin	Parsons	
Bailey	deGraffenried	Hand	Sanders	
Barron	Dial	Holmes	Smith (B)	
Bedford	Denton	Langford	Smith (J)	
Bedsole	Dixon	Little	Strong	
Cabaniss	Ellis	Menton	Teague	
Cooley	Figures			—29

Nays:

—0

REGULAR SESSION
30th Day

1899

THE BILL:

H. 64. To amend Sections 31-6-2, 31-6-4, 31-6-5 and 31-6-6, Code of Alabama 1975, relating to educational benefits for certain children or wives or widows of certain deceased or disabled veterans or prisoners of war, so as to further provide therefor.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Mitchem	
Aldridge	Cooley	Goodwin	Parsons	
Amari	Corbett	Hand	Sanders	
Barron	Denton	Langford	Strong	
Bedford	Dial	Little	Teague	
Bennett	Dixon	Menton		—22

Nays: —0

THE BILL:

H. 72. Proposing an amendment to Amendment No. 443 to the Constitution of 1901, relating to certain conveyances of Alabama State Docks property to certain local port authorities in the Cordova-Walker County area, the Florence-Lauderdale County area and the Decatur-Morgan County area.

was taken up.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 435. An act relating to toxic substances; providing legislative intent; providing definitions; providing for liability and responsibility of contractors to employees; providing for the determination of the Alabama Substance List; creating the Toxic Substances Advisory Council; providing for membership, terms and meetings of the council; providing for annual review of the Alabama Substance List; providing notice requirements; providing employee education and training requirements; providing for employee rights; providing for protection of trade secrets; providing for notice to fire departments, emergency medical service providers, and law enforcement agencies; providing record-keeping requirements; providing for annual evaluation reports; providing penalties; prohibiting local standards; providing for review and repeal; providing effective dates; and makes effect of this act conditional upon the providing of funding sufficient to administer the act during fiscal year 1986.

Also:

S. 550. Relating to Montgomery County; to legalize the sale of draft or keg beer or malt beverages.

Also:

S. 555. To make supplemental appropriations from the Public Road and Bridge Fund to the State Highway Department for the fiscal year ending September 30, 1985.

Also:

S. 641. To fix the supplemental salaries of the circuit judges of the 15th Judicial Circuit.

Also:

S. 411. Relating to Morgan County; further amending Section 2 of Act No. 80-167, S. 299, Regular Session 1980 (Acts 1980, p. 245), as amended, relating to the distribution of payments by Tennessee Valley Authority in lieu of ad valorem taxes, so as to extend the period for the present distribution formula.

Also:

S. 305. To provide for the reopening of the Employees' Retirement System of Alabama to those municipal officers and employees who are members of the Employees' Retirement System of Alabama on June 1, 1984, and who have prior employment with other municipalities for which they are ineligible to gain credit.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

RECESS

At 6:35 P.M., on motion of Senator Bishop, the Senate took a recess until 8 o'clock P.M.

REGULAR SESSION
30th Day

1901

NIGHT SESSION
THIRTIETH LEGISLATIVE DAY
MONDAY, MAY 20, 1985

The Senate reassembled in the Senate Chamber, Lieutenant Governor Baxley presiding.

ROLL CALL

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Cooley	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Horn	Strong
Bishop	Drinkard	Langford	Teague

—35

FURTHER CONSIDERATION OF H. B. 72

The Senate proceeded to further consideration of the Bill, H. B. 72.

And said Bill, H. B. 72, was then read a third time at length as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Mitchem
Amari	Denton	Holmes	Sanders
Bailey	Dixon	Langford	Smith (B)
Bishop	Ellis	Little	Smith (J)
Corbett	Figures	Menton	Teague
Covington	Foshee		

—21

Nays: —0

THE BILL:

H. 854. To create and establish the Alabama Mining Academy to be located at Walker State Technical College in Walker County, Alabama, and to provide assistance to the State of Alabama mining industry through education, training and research.

was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton
Amari	deGraffenried	Goodwin	Sanders
Bailey	Denton	Holmes	Smith (B)
Bishop	Dial	Langford	Teague
Corbett	Dixon	Little	

—18

Nays: —0

THE BILL:

H. 708. To amend Section 5-19-1, Code of Alabama 1975, which relates to the regulation of extensions of credit, so as to exclude from the definition of "finance charge" those charges excluded from the "finance charge" under the Federal Truth-in-Lending Act.

was taken up.

STATEMENT BY THE PRESIDING OFFICER

The President and Presiding Officer requested that the following statement be spread upon the Journal of the Senate for the 30th Legislative Day of the 1985 Regular Session.

"The law firm of which I am a partner has litigation pending in the courts of Alabama relating to certain provisions of H. B. 708 and could be affected thereby. H. B. 708 is listed on S. R. 303, which is the special order of the day for the Senate. For this reason, I am recusing myself from presiding during consideration of this bill."

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Executive amendment to the Bill:

S. 511. To amend Section 36-16-8(3) of the Code of Alabama 1975, relating to the disposition, transfer, assignment or entrustment of nonconsumable personal property to require the written permission of the Alabama Department of Economic and Community Affairs or his designee.

by a majority of the whole number elected to the House, said vote being Yeas 82, Nays 1.

And said Bill, S. B. 511, together with the Executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 941. To require certain prospective employers to request from the public safety department records of all convictions, if any, for sex crimes of prospective employees; to exempt employees hired prior to the effective date of this act; to require certain other prospective employees or volunteers, and employees hired prior to the effective date of this act to sign statements which require disclosure of prior sex crime convictions; to define the term "sex crimes"; to provide penalties for submitting false information on such statements; to require the public safety department to furnish such statement forms and the information to be contained thereon; to require the employer to keep such statements for a period of time and to send copies to the public safety department, which shall keep such copies for a certain period

of time; to provide for complete checks for prior sex crime convictions at the request of the employer and on a random sample basis of the department and to require the department to notify local law enforcement agencies and employers of such prior convictions; to provide for confidentiality of all reports, records and statements required by this act; and to provide that this act shall be effective September 1, 1985.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 945. Relating to victims of child abuse and neglect; to require the Department of Pensions and Security to develop multi-disciplinary child protection teams throughout the state to assist and supplement protective services for such children; to provide for the composition and functions of such teams and to avoid duplication of certain services; to provide for an ad hoc advisory committee to develop guidelines for the operations of such teams, subject to approval by the Governor; to provide for annual reports on the operation of such teams; to provide that the act shall become effective October 1, 1985; and to preserve such teams in existence as of October 1, 1985.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Senate amendment to the following House Bills:

H. 280. To repeal Sections 22-30-5 and 22-30-7, Code of Alabama as amended, which provide for the dedication and acceptance of hazardous waste storage facilities and disposal sites.

To amend Sections 22-30-4 and 22-30-18, Code of Alabama 1975, as amended, so as to authorize the Alabama Department of Environmental Management to issue and serve subpoenas requiring persons to give testimony or produce papers, documents, records and tangible things and to enforce obedience to such subpoenas; to provide for monitoring of commercial disposal sites; to clarify the public availability and confidentiality of records and information obtained by the Alabama Department of Environmental Management; to permit the Alabama Department of Environmental Management to require monitoring and sampling; and to clarify provisions relating to disposal fees.

Also:

H. 603. To amend Section 41-9-708, Code of Alabama 1975, relating to the Alabama Indian Affairs Commission, so as to give the Ma-Chis Lower Creek Indian Tribe representation on said commission and to authorize the commission to recognize certain additional tribes, bands or groups.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Executive amendment to the Bill:

S. 285. To provide further for group health insurance for certain retired employees receiving monthly benefits from the employees' retirement system of Alabama or from the teachers' retirement system; to amend section 36-29-10, Code of Alabama 1975, providing for the election by certain employees to continue coverage under the state employees' health insurance plan by the deduction of a portion of the premium for such coverage from their monthly benefit payments, so as to allow the first year funding from the State Employees Health Insurance Plan and the state to assume all subsequent funding; to amend §16-25A-1, Code of Alabama 1975, to further define retired employee under the public education employees' health insurance plan.

by a majority of the whole number elected to the House, said vote being Yeas 91, Nays 0.

And said Bill, S. B. 285, together with the Executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 50. COMMENDING DOCTOR GEORGE C. SMITH OF LINEVILLE, ALABAMA, PRESIDENT OF THE ALABAMA CATTLEMEN'S ASSOCIATION.

Also:

S. J. R. 114. MOURNING THE UNTIMELY DEATH OF RONNIE JOE PIERCE OF UNION SPRINGS, ALABAMA.

Also:

S. J. R. 123. DESIGNATING, IN COMMENDATION, THAT PORTION OF HIGHWAY 35 WITHIN THE CITY LIMITS OF SECTION, ALABAMA, AS THE "TAMMY LITTLE DRIVE."

Also:

S. J. R. 227. COMMENDING MARGARET A. CARPENTER, ALABAMA'S SMALL BUSINESS PERSON OF THE YEAR.

Also:

S. J. R. 231. COMMENDING UNITED STATES CONGRESSMAN TOM BEVILL, A DISTINGUISHED PUBLIC SERVANT.

Also:

S. J. R. 233. MADISON COUNTY COMMISSION MEMBERS URGED TO HOLD EVENING MEETINGS FOR WORKERS.

REGULAR SESSION
30th Day

1905

Also:

S. J. R. 238. DESIGNATING GOODLOE RUTLAND "CHAIRMAN EMERITUS", BOARD OF DIRECTORS, BIRMINGHAM-JEFFERSON CIVIC CENTER AUTHORITY.

Also:

S. J. R. 239. CONGRATULATING WLWI-RADIO, MONTGOMERY, ALABAMA, NATIONAL COUNTRY MUSIC RADIO STATION OF THE YEAR.

Also:

S. J. R. 240. COMMENDING ZORA ELLIS OF TALLADEGA, ALABAMA.

Also:

S. J. R. 241. COMMENDING AUBURN UNIVERSITY ON THE OUTSTANDING SUCCESS OF ITS GENERATIONS FUND.

Also:

S. J. R. 246. EXPRESSING THE LEGISLATURE'S SUPPORT OF UNIVERSAL AND EQUITABLE LONG DISTANCE TELEPHONE SERVICE RATES.

Also:

S. J. R. 263. DECLARING THE WEEK OF JUNE 2-8, 1985, ALABAMA POULTRY WEEK.

Also:

S. J. R. 295. COMMENDING FORMER U. S. REPRESENTATIVE CARL ELLIOTT OF JASPER, ALABAMA.

Also:

S. J. R. 306. MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REJECT THOSE PORTIONS OF THE PROPOSED TAX SIMPLIFICATION PLANS WHICH WOULD ELIMINATE CAPITAL GAINS TREATMENT FOR THE SALE OF TIMBER AND REQUIRE THE CAPITALIZATION OF COSTS ASSOCIATED WITH GROWING TIMBER, AND URGING THE ALABAMA CONGRESSIONAL DELEGATION TO OPPOSE, WITH ALL THE STRENGTH AT THEIR DISPOSAL, THE PASSAGE OF SUCH A MEASURE.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 947. Relating to victims of sexual abuse or sexual exploitation; to provide that court records of such victims shall not be open to the public; and to allow presiding circuit judges to formulate rules which limit the

number of interviews or interrogations which can be conducted upon such victims under 12 years of age.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 939. To provide procedures in criminal prosecutions involving the sexual exploitation of children and in other prosecutions for sex offenses wherein the alleged victim is a child under the age of 16, whereby the court may allow: leading questions at trial of any victim or witness who is under the age of 10; testimony of certain child victims and witnesses to be by videotaped deposition or by closed-circuit television equipment; to provide for the costs of making the videotapes of such depositions and for the use of closed circuit television equipment; to provide that the supreme court may adopt rules of procedure regarding the taking and use of videotaped depositions; to provide that such videotaped depositions shall be subject to protective orders of the court to protect the privacy of the victim or witness; to appropriate funds to the unified judicial system to furnish courts with necessary equipment to view the videotaped depositions; to permit the use of anatomically correct dolls or mannequins to assist an alleged victim or witness with the testimony; to provide procedures to ensure prompt trials in certain prosecutions; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1023. To amend Sections 40-13-5, 40-13-6, and 40-13-8 of the Code of Alabama 1975, as amended, relating to the deposit and disbursement of the proceeds from certain coal severance taxes so as to provide that the Alabama State Docks Department may receive a portion of those proceeds under certain circumstances; to provide that, upon filing of a notification by the Director of the Alabama State Docks Department with the Director of Finance to the effect that revenues from the Alabama State Docks Department's coal handling facilities are anticipated to be insufficient to pay the expenses (exclusive of depreciation) incurred in operating and maintaining those facilities and to pay principal and interest that came due during such fiscal year on those bonds of the Alabama State Docks Department for payment of which said revenues have been pledged, the Director of Finance may authorize certain payments to the Department in amounts not to exceed the amount of the actual deficiency, computed as described in this Act and, to the extent such payments are so authorized, they are hereby appropriated to the Department; to provide that any moneys remaining in the Alabama State Docks Bulk Handling Facility Trust Fund, once the amounts provided for in this Act have been paid, shall be credited to the State General Fund;

REGULAR SESSION
30th Day

1907

to provide further for the termination of said coal severance tax; and to provide for an effective date.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 600. To create the Alabama Manufactured Housing Commission; to express legislative intent to relieve the fire marshal division of the insurance department of certain duties; to provide for the functions, duties, powers, membership, compensation, terms of office, meetings and other business of the commission; to create a special revolving fund for the commission; to authorize the commission to promulgate rules and regulations and to enter contracts and perform specific duties relative to the standards for the construction of manufactured housing and buildings; and to provide that the functions, powers, authority and duties provided by law, specifically but not limited to Sections 24-5-1 through 24-5-14, 25-5-30 through 25-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975, and all books, records, supplies, pursuant to and under the authority of the aforesaid code sections through legislative budgetary authority and duties provided by law, specifically, but not limited to: Sections 24-5-1 through 24-5-14; 24-5-30 through 24-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975, and all books, records, supplies, equipment, documents, files, papers, materials, and personnel of the fire marshal's division subject to and authorized by, or under these various code sections and related thereto shall be transferred to the commission. To provide that funds in the amount of \$110,364.00 appropriated to the fire marshal's division for fiscal year 1985-1986 for those functions and purposes enumerated in the above code sections shall be transferred and appropriated to the commission. Also transferred and appropriated to the commission are all funds received from contracts performed by the commission on or after October 1, 1985, pursuant to Section 24-5-13.1, Code of Alabama 1975, pertaining to mobile homes, manufactured housing and manufactured buildings.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 218. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 708

The Senate proceeded to further consideration of the Bill, H. B. 708.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 146. To amend §41-16-21 of the Code of Alabama 1975 to exempt from the provisions of the law on competitive bidding on public contracts purchases by any hospital or other medical facility operated by any state department, except the Department of Mental Health, board, bureau, commission, committee, institution, corporation, authority or office.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 3. Relating to Etowah County; to provide further for the election of the members of the county board of education; and to provide a referendum and to make effective upon the approval of certain qualified electors November 1986 general election.

Also:

H. 600. To create the Alabama Manufactured Housing Commission; to express legislative intent to relieve the fire marshal division of the insurance department of certain duties; to provide for the functions, duties, powers, membership, compensation, terms of office, meetings and other business of the commission; to create a special revolving fund for the commission; to authorize the commission to promulgate rules and regulations and to enter contracts and perform specific duties relative to the standards for the construction of manufactured housing and buildings; and to provide that the functions, powers, authority and duties provided by law, specifically but not limited to Sections 24-5-1 through 24-5-14, 25-5-30 through 25-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975,

**REGULAR SESSION
30th Day**

1909

and all books, records, supplies, pursuant to and under the authority of the aforesaid code sections through legislative budgetary authority and duties provided by law, specifically, but not limited to: Sections 24-5-1 through 24-5-14; 24-5-30 through 24-5-34; 24-4A-1 through 24-4A-7 and Title 24, Chapter 4, all of the Code of Alabama 1975, and all books, records, supplies, equipment, documents, files, papers, materials, and personnel of the fire marshal's division subject to and authorized by, or under these various code sections and related thereto shall be transferred to the commission. To provide that funds in the amount of \$110,364.00 appropriated to the fire marshal's division for fiscal year 1985-1986 for those functions and purposes enumerated in the above code sections shall be transferred and appropriated to the commission. Also transferred and appropriated to the commission are all funds received from contracts performed by the commission on or after October 1, 1985, pursuant to Section 24-5-13.1, Code of Alabama 1975, pertaining to mobile homes, manufactured housing and manufactured buildings.

Also:

H. 707. To alter or rearrange the boundary lines of the Town of Webb, Houston County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Houston County, Alabama.

Also:

H. 771. To regulate transient merchants, provide for licensing of said merchants and provide for penalties for violations.

Also:

H. 954. To amend Act No. 81-446, H. 679, 1981 Regular Session, entitled, "An Act Relating to Mobile County; to provide further for the compensation of election employees and officers," so as to provide further for said compensation.

Also:

H. 1059. Relating to Madison County, to further regulate the compensation of the board of registrars, by amending Act No. 948, H. 2007, Regular Session 1973, (Acts 1973, p. 1458).

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 115. To establish the Alabama Endowment Trust Fund for Eminent Scholars; provides that the Alabama Commission on Higher Education shall

administer the trust fund; provides for investment of appropriated funds and for the use of accrued interest; provides for matching of funds; provides for the creation of separate foundation trust funds for each university; provides for the expending of the funds; and provides an appropriation.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 708

The Senate proceeded to further consideration of the Bill, H. B. 708.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 941. To require certain prospective employers to request from the public safety department records of all convictions, if any, for sex crimes of prospective employees; to exempt employees hired prior to the effective date of this act; to require certain other prospective employees or volunteers, and employees hired prior to the effective date of this act to sign statements which require disclosure of prior sex crime convictions; to define the term "sex crimes"; to provide penalties for submitting false information on such statements; to require the public safety department to furnish such statement forms and the information to be contained thereon; to require the employer to keep such statements for a period of time and to send copies to the public safety department, which shall keep such copies for a certain period of time; to provide for complete checks for prior sex crime convictions at the request of the employer and on a random sample basis of the department and to require the department to notify local law enforcement agencies and employers of such prior convictions; to provide for confidentiality of all reports, records and statements required by this act; and to provide that this act shall be effective September 1, 1985.

Also:

H. 945. Relating to victims of child abuse and neglect; to require the Department of Pensions and Security to develop multi-disciplinary child protection teams throughout the state to assist and supplement protective services for such children; to provide for the composition and functions of such teams and to avoid duplication of certain services; to provide for an ad hoc advisory committee to develop guidelines for the operations of such teams, subject to approval by the Governor; to provide for annual reports on the operation of such teams; to provide that the act shall become effective October 1, 1985; and to preserve such teams in existence as of October 1, 1985.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the

foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 708

The Senate proceeded to further consideration of the Bill, H. B. 708.

On motion of Senator Teague, further consideration of the Bill, H. B. 708, was postponed temporarily.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 606. To amend Section 37-3-4, Code of Alabama 1975, relating to the exemption of certain motor vehicle carriers from regulation by the Public Service Commission, so as to include wrecker services within the exemptions.

was read a third time at length and passed.

Yeas 23; Nays 3.

Yeas:

Senators:	Cabaniss	Dixon	Little	
Aldridge	Cooley	Drinkard	Sanders	
Amari	Corbett	Ellis	Smith (B)	
Bailey	Covington	Goodwin	Smith (J)	
Barron	deGraffenried	Hand	Strong	
Bedford	Denton	Holmes	Teague	—23

Nays:

Senators:	Bennett	Bishop	Menton	—3
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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 6. To raise the legal age for a person to attempt to purchase, to purchase, consume, possess or to transport alcoholic beverages, to exempt persons 20 years of age or older on the effective date of this act and to provide criminal penalties.

said Conference Report being in words and figures as follows:

CONFERENCE COMMITTEE REPORT ON H. B. 6

We, the Committee on Conference appointed to reconcile the differences between the two Houses concerning House Bill 6, have met, considered the matter, and agreed to the following report.

We recommend that the Conference Committee Substitute be adopted.

CURTIS SMITH,
RALPH BURKE,
CHARLIE BRITNELL,

Conferees on the Part of the House.

CHIP BAILEY,
EARL F. HILLIARD,
BILL DRINKARD,

Conferees on the Part of the Senate.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 6

**A BILL
TO BE ENTITLED
AN ACT**

To raise the legal age for a person to purchase, consume, possess, or to transport alcoholic beverages, to provide criminal penalties, and to provide that juvenile offenders shall be incarcerated, if so sentenced, in juvenile detention facilities, and to exempt persons 19 years of age or older on the effective date of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Notwithstanding the provisions of Section 26-1-2, Code of Alabama 1975, it shall be unlawful for a person less than 21 years of age to purchase, consume, possess or to transport any alcohol, liquor or malt or brewed beverages within the State of Alabama, except as provided by Section 28-1-3, Code of Alabama 1975, for certain eligible persons who are authorized to make limited purchases from military package or liquor stores. Notwithstanding any other provision of this act, it shall not be unlawful for any Alcoholic Beverage Control Board licensee to employ any person under the legal drinking age to work, provided there is an adult in attendance at all times. It shall be permissible to employ persons in an on-premise licensed establishment under legal drinking age such as professional entertainers, show people, musicians, cashiers, hostesses, ushers, waiters and waitresses, bus boys or girls, and the like, provided they do not serve, dispense or consume alcoholic beverages and there is an adult in attendance at all times.

Whoever violates this section shall be fined not less than \$25.00 nor more than \$100.00, or imprisoned in the county jail for not more than thirty days or both; provided further, that juvenile offenders shall not be held in the county jail, but shall be held, either before or after sentencing, in a juvenile detention facility pursuant to the guidelines of the department of youth services, which shall be separate and apart from adult offenders.

Persons 19 years of age or older prior to October 1, 1985, are hereby expressly exempt from the provisions of this act.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, and shall remain in effect only so long as

REGULAR SESSION
30th Day

1913

Section 6 of Public Law 98-363, 98th Congress, July 17, 1984, 98th Stat. 437 et seq., 23 USC Section 158, shall be in effect.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Senator Bailey, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 6, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 28; Nays 1.

Yeas:

Senators:	Cooley	Figures	Mitchem
Aldridge	Covington	Foshee	Parsons
Bailey	Denton	Goodwin	Sanders
Barron	Dial	Hand	Smith (B)
Bedford	Dixon	Holmes	Smith (J)
Bedsole	Drinkard	Little	Strong
Bishop	Ellis	Menton	Teague
Cabaniss			

—28

Nay Senator Hilliard —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 450. To amend Sections 41-9-780, 41-9-781, 41-9-782, 41-9-783, 41-9-786, 41-9-787, Code of Alabama 1975, which creates the Tennessee Valley Authority Exhibit Commission of Alabama, so as to change the name of the Commission to the Tennessee Valley Exhibit Commission; to alter the composition of the Commission, and to provide further for the issuance of obligations.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 947. Relating to victims of sexual abuse or sexual exploitation; to provide that court records of such victims shall not be open to the public;

and to allow presiding circuit judges to formulate rules which limit the number of interviews or interrogations which can be conducted upon such victims under 12 years of age.

Also:

H. 1023. To amend Sections 40-13-5, 40-13-6, and 40-13-8 of the Code of Alabama 1975, as amended, relating to the deposit and disbursement of the proceeds from certain coal severance taxes so as to provide that the Alabama State Docks Department may receive a portion of those proceeds under certain circumstances; to provide that, upon filing of a notification by the Director of the Alabama State Docks Department with the Director of Finance to the effect that revenues from the Alabama State Docks Department's coal handling facilities are anticipated to be insufficient to pay the expenses (exclusive of depreciation) incurred in operating and maintaining those facilities and to pay principal and interest that came due during such fiscal year on those bonds of the Alabama State Docks Department for payment of which said revenues have been pledged, the Director of Finance may authorize certain payments to the Department in amounts not to exceed the amount of the actual deficiency, computed as described in this Act and, to the extent such payments are so authorized, they are hereby appropriated to the Department; to provide that any moneys remaining in the Alabama State Docks Bulk Handling Facility Trust Fund, once the amounts provided for in this Act have been paid, shall be credited to the State General Fund; to provide further for the termination of said coal severance tax; and to provide for an effective date.

Also:

H. 939. To provide procedures in criminal prosecutions involving the sexual exploitation of children and in other prosecutions for sex offenses wherein the alleged victim is a child under the age of 16, whereby the court may allow: leading questions at trial of any victim or witness who is under the age of 10; testimony of certain child victims and witnesses to be by videotaped deposition or by closed-circuit television equipment; to provide for the costs of making the videotapes of such depositions and for the use of closed circuit television equipment; to provide that the supreme court may adopt rules of procedure regarding the taking and use of videotaped depositions; to provide that such videotaped depositions shall be subject to protective orders of the court to protect the privacy of the victim or witness; to appropriate funds to the unified judicial system to furnish courts with necessary equipment to view the videotaped depositions; to permit the use of anatomically correct dolls or mannequins to assist an alleged victim or witness with the testimony; to provide procedures to ensure prompt trials in certain prosecutions; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 340. COMMENDING MS. EULENE HAWKINS UPON INITIATION OF THE EULENE HAWKINS SOCIAL WORK AWARD AT TROY STATE UNIVERSITY IN RECOGNITION OF HER LIFETIME SERVICE TO THE STATE OF ALABAMA AND THE NATION.

Also:

H. J. R. 357. NAMING THE STUDENT CENTER AT JOHN C. CALHOUN STATE COMMUNITY COLLEGE, THE "JAMES R. CHASTEEN STUDENT CENTER."

Also:

H. J. R. 361. COMMENDING GLENN E. MESSER, BIRMINGHAM, ALABAMA, ON HIS NUMEROUS AVIATIONAL ACHIEVEMENTS.

Also:

H. J. R. 365. BESTOWING HONORARY MARSHALL COUNTY CITIZENSHIP ON U. S. CONGRESSMAN TOM BEVILL.

Also:

H. J. R. 375. COMMENDING POLICE CHIEF C. E. CARTER OF ALABASTER, ALABAMA.

Also:

H. J. R. 413. COMMENDING MR. BILL VAUGHAN, MIDFIELD, ALABAMA, "PARAMEDIC OF THE YEAR."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 327. To amend sections 34-27-2 through 34-27-8, 34-27-10, 34-27-11, 34-27-30 through 34-27-38, 34-27-50 through 34-27-52, 34-27-57, 34-27-58, 34-27-60 through 34-27-64 and 34-27-66 through 34-27-68 of the Code of Alabama 1975, which relate to the regulation of real estate and time-sharing brokers, salesmen and transactions and to the real estate commission

and its executive officers, so as to provide further for such regulation, for the duties of such executive officers and for penalties and to repeal section 34-27-9 relating to bonds of such executive officers.

Also:

H. 280. To repeal Sections 22-30-5 and 22-30-7, Code of Alabama as amended, which provide for the dedication and acceptance of hazardous waste storage facilities and disposal sites.

To amend Section 22-30-4 and 22-30-18, Code of Alabama 1975, as amended, so as to authorize the Alabama Department of Environmental Management to issue and serve subpoenas requiring persons to give testimony or produce papers, documents, records and tangible things and to enforce obedience to such subpoenas; to provide for monitoring of commercial disposal sites; to clarify the public availability and confidentiality of records and information obtained by the Alabama Department of Environmental Management; to permit the Alabama Department of Environmental Management to require monitoring and sampling; and to clarify provisions relating to disposal fees.

Also:

H. 667. To enact the Interstate Corrections Compact into law and to provide for the permanent or temporary interstate transfer of offenders and prisoners between Alabama and such other states as may legally join into the interstate corrections compact and contract for said transfer with the Commissioner of the Alabama Department of Corrections.

Also:

H. 603. To amend Section 41-9-708, Code of Alabama 1975, relating to the Alabama Indian Affairs Commission, so as to give the Ma-Chis Lower Creek Indian Tribe representation on said commission and to authorize the commission to recognize certain additional tribes, bands or groups.

Also:

H. 627. To relate to the authority of the highway director to administer public transportation programs; to amend sections 23-1-21.1 and 23-1-21.2, Code of Alabama 1975, so as to provide further for such authority of the highway director.

Also:

H. 542. Relating to the subsistence allowance for certain law enforcement officers; to amend Section 36-21-2, Code of Alabama 1975, so as to provide that investigators employed by district attorneys shall be paid such allowance; and to make a supplemental appropriation for fiscal year 1985-86 to cover the cost.

Also:

H. 590. To create the Pollution Control Grant Fund and authorize the Alabama Department of Environmental Management to make grants in accordance with any terms or stipulations attached to moneys deposited into the fund or to make grants to any county, municipality or public corporation, agency or instrumentality from such fund for the purpose of pollution control, abatement or prevention and to adopt rules and regulations to carry out the provisions of this Act.

REGULAR SESSION
30th Day

1917

Also:

H. 1045. To amend Sections 32-3-41 and 37-4-23, Code of Alabama 1975 relating to payment of inspection and supervision fees paid by utilities and transportation companies so as to provide that such utilities and transportation companies with gross intrastate receipts in excess of \$60,000,000.00 per calendar quarter be required to pay inspection and supervision fees based upon such quarter rather than the preceding fiscal year.

Also:

H. 626. To ratify and confirm the organization and operation of twelve regional planning and development commissions in state planning and development districts designated and established by executive order of the Governor pursuant to section 11-85-51, Code of Alabama 1975; and to authorize certain contracts for the purpose of receiving and disbursing governmental and private funds for certain federal, state and local programs.

WHEREAS, the Governor of Alabama by executive order has heretofore defined, designated and established twelve state planning and development districts throughout and within the state of Alabama in keeping with the provisions of section 11-85-51, Code of Alabama 1975; and

WHEREAS, under the provisions of sections 11-85-52 through 11-85-59, Code of Alabama 1975, regional planning and development commissions were authorized to be created by the various governmental units within respective districts; and

WHEREAS, it appears that in attempting to comply with such statutory provisions in the creation of regional planning and development commissions, the various governmental units participating failed to comply with the technical statutory requirements in the creation of their respective regional planning and development commissions within their respective districts, and created their respective commissions in various forms, by formation of nonprofit corporations, by various resolutions of local governments, and by agreements, and/or compacts between local governments; and

WHEREAS, such purported regional planning and development commissions have operated for a number of years as legally created commissions within their respective districts, and have entered into, performed, and administered and are now performing and administering numerous and varied contracts and have expended and are now expending thereunder federal, state, local governmental and/or private funds for various and sundry programs; now therefore,

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 64. To amend Sections 31-6-2, 31-6-4, 31-6-5 and 31-6-6, Code of Alabama 1975, relating to educational benefits for certain children or wives or widows of certain deceased or disabled veterans or prisoners of war, so as to further provide therefor.

Also:

H. 115. To establish the Alabama Endowment Trust Fund for Eminent Scholars; provides that the Alabama Commission on Higher Education shall administer the trust fund; provides for investment of appropriated funds and for the use of accrued interest; provides for matching of funds; provides for the creation of separate foundation trust funds for each university; provides for the expending of the funds; and provides an appropriation.

Also:

H. 854. To create and establish the Alabama Mining Academy to be located at Walker State Technical College in Walker County, Alabama, and to provide assistance to the State of Alabama mining industry through education, training and research.

Also:

H. 72. Proposing an amendment to Amendment No. 443 to the Constitution of 1901, relating to certain conveyances of Alabama State Docks property to certain local port authorities in the Cordova-Walker County area, the Florence-Lauderdale County area and the Decatur-Morgan County area.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 999. Relating to Mobile County; to provide further for the disposition and use of the funds received by Mobile County under the provisions of Title 40, Chapter 20, Article 1, Code of Alabama 1975, as amended, providing for the levy of a privilege tax on the production of oil and gas; and to specifically repeal Act No. 870, H. 1517, Regular Session 1975 (Acts 1975, p. 1714), providing further for the disposition and use of a certain portion of the funds received by Mobile County from an oil and gas severance tax, and all other laws or parts of laws in conflict herewith.

was read a third time at length and passed.

REGULAR SESSION
30th Day

1919

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton
Aldridge	Denton	Goodwin	Mitchem
Barron	Dial	Hand	Sanders
Bedford	Dixon	Hilliard	Smith (B)
Bedsole	Drinkard	Horn	Smith (J)
Bennett	Ellis	Little	Teague
Cooley	Figures		

—25

Nays:

—0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 386. Relating to Montgomery County; providing further for the compensation of the tax assessor and tax collector.

Also:

S. 649. Relating to the Sixth Judicial Circuit; to provide for increases in the county supplements of circuit judges of the Sixth Judicial Circuit; to provide for additional expense allowances for the circuit clerk of such judicial circuit; and to provide for certain additional expense allowances and salary increases for the probate judge and certain other officials of the Sixth Judicial Circuit and certain other county officials.

Also:

S. 285. To provide further for group health insurance for certain retired employees receiving monthly benefits from the employees' retirement system of Alabama or from the teachers' retirement system; to amend section 36-29-10, Code of Alabama 1975, providing for the election by certain employees to continue coverage under the state employees' health insurance plan by the deduction of a portion of the premium for such coverage from their monthly benefit payments, so as to allow the first year funding from the State Employees Health Insurance Plan and the state to assume all subsequent funding; to amend §16-25A-1, Code of Alabama 1975, to further define retired employee under the public education employees' health insurance plan.

Also:

S. 511. To amend Section 36-16-8(3) of the Code of Alabama 1975, relating to the disposition, transfer, assignment or entrustment of nonconsumable personal property to require the written permission of the Alabama Department of Economic and Community Affairs or his designee.

Also:

S. 218. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 50. COMMENDING DOCTOR GEORGE C. SMITH OF LINEVILLE, ALABAMA, PRESIDENT OF THE ALABAMA CATTLE-MEN'S ASSOCIATION.

Also:

S. J. R. 114. MOURNING THE UNTIMELY DEATH OF RONNIE JOE PIERCE OF UNION SPRINGS, ALABAMA.

Also:

S. J. R. 123. DESIGNATING, IN COMMENDATION, THAT PORTION OF HIGHWAY 35 WITHIN THE CITY LIMITS OF SECTION, ALABAMA, AS THE "TAMMY LITTLE DRIVE."

Also:

S. J. R. 227. COMMENDING MARGARET A. CARPENTER, ALABAMA'S SMALL BUSINESS PERSON OF THE YEAR.

Also:

S. J. R. 233. MADISON COUNTY COMMISSION MEMBERS URGED TO HOLD EVENING MEETINGS FOR WORKERS.

Also:

S. J. R. 231. COMMENDING UNITED STATES CONGRESSMEN TOM BEVILL, A DISTINGUISHED PUBLIC SERVANT.

Also:

S. J. R. 238. DESIGNATING GOODLOE RUTLAND "CHAIRMAN EMERITUS", BOARD OF DIRECTORS, BIRMINGHAM-JEFFERSON CIVIC CENTER AUTHORITY.

Also:

S. J. R. 239. CONGRATULATING WLWI-RADIO, MONTGOMERY, ALABAMA, NATIONAL COUNTRY MUSIC RADIO STATION OF THE YEAR.

REGULAR SESSION
30th Day

1921

Also:

S. J. R. 240. COMMENDING ZORA ELLIS OF TALLADEGA, ALABAMA.

Also:

S. J. R. 241. COMMENDING AUBURN UNIVERSITY ON THE OUTSTANDING SUCCESS OF ITS GENERATIONS FUND.

Also:

S. J. R. 246. EXPRESSING THE LEGISLATURE'S SUPPORT OF UNIVERSAL AND EQUITABLE LONG DISTANCE TELEPHONE SERVICE RATES.

Also:

S. J. R. 306. MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REJECT THOSE PORTIONS OF THE PROPOSED TAX SIMPLIFICATION PLANS WHICH WOULD ELIMINATE CAPITAL GAINS TREATMENT FOR THE SALE OF TIMBER AND REQUIRE THE CAPITALIZATION OF COSTS ASSOCIATED WITH GROWING TIMBER, AND URGING THE ALABAMA CONGRESSIONAL DELEGATION TO OPPOSE, WITH ALL THE STRENGTH AT THEIR DISPOSAL, THE PASSAGE OF SUCH A MEASURE.

Also:

S. J. R. 295. COMMENDING FORMER U. S. REPRESENTATIVE CARL ELLIOTT OF JASPER, ALABAMA.

Also:

S. J. R. 263. DECLARING THE WEEK OF JUNE 2-8, 1985, ALABAMA POULTRY WEEK.

CHARLES BISHOP,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 307. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the 30th legislative day of the 1985 Regular Session only:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 920	Downtown Redevelopment Auth.	34
H. B. 34	Motor Vehicles, motor driven cycle operators lic. after demons. competent operation	40
H. B. 489	Industrial Relations Dept. law enf. off. auth. to keep badges & pistols upon retir.	45
H. B. 304	Relating to newspapers	44
H. B. 163	AL Uniform Cert. of Title & Antitheft Act	2
H. B. 613	Mental Health Dept.	56
H. B. 59	Forest Fire, assessment	
H. B. 2	Motor Vehicles	39
H. B. 60	Forest, fire	58
H. B. 275	To prov. for emergency call boxes	21
H. B. 28	Definition of "city" for city bd. of education purposes	6
H. B. 615	Finance Dept., approp. for Tenn-Tom open- ing ceremonies	5
H. B. 823	Retirement Systems	38
H. B. 416	State Emp. Retirement, incr.	38
H. B. 461	Writ of habeas corpus, granted without delay, except.	22
H. B. 483	Highways, trucks length & width regu.	62
H. B. 948	Suppl. approp. for Health Planning Agency	53
H. B. 788	Teachers, salary incr.,	23
H. B. 1037	Flood control Auth. auth., in each co. for flood control in urban areas	56
H. B. 542	Invest. empl. by district attorneys	35
H. B. 557	Special Elections	18
H. B. 288	Oil & gas, priv. tax on prod.	28
H. B. 290	Oil & gas bd.	33

Senator deGraffenried offered the following substitute for the Resolution,
S. R. 307, to-wit:

SUBSTITUTE FOR S. R. 307

RESOLVED BY THE SENATE That the following bills in the order
named shall be the paramount and continuing order of business taking
precedence over all other matters upon reaching bills on third reading for
the 30th legislative day of the 1985 Regular Session only:

REGULAR SESSION
30th Day

1923

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 531	State Dept. of Revenue	46
H. B. 920	Downtown Redevelopment Auth.	34
H. B. 34	Motor Vehicles, motor driven cycle operators lic. after demons. competent operation	40
H. B. 489	Industrial Relations Dept. law enf. off. auth. to keep badges & pistols upon retir.	45
H. B. 304	Relating to newspapers	44
H. B. 163	AL Uniform Cert. of Title & Antitheft Act	2
H. B. 613	Mental Health Dept.	56
H. B. 59	Forest Fire, assessment	
H. B. 2	Motor Vehicles	39
H. B. 60	Forest, fire	58
H. B. 275	To prov. for emergency call boxes	21
H. B. 28	Definition of "city" for city bd. of education purposes	6
H. B. 615	Finance Dept., approp. for Tenn-Tom opening ceremonies	5
H. B. 823	Retirement Systems	38
H. B. 416	State Emp. Retirement, incr.	38
H. B. 461	Writ of habeas corpus, granted without delay, except.	22
H. B. 483	Highways, trucks length & width regu.	62
H. B. 948	Suppl. approp. for Health Planning Agency	53
H. B. 788	Teachers, salary incr.,	23
H. B. 1037	Flood control Auth. auth., in each co. for flood control in urban areas	56
H. B. 542	Invest. empl. by district attorneys	35
H. B. 557	Special Elections	18
H. B. 288	Oil & gas, priv. tax on prod.	28
H. B. 290	Oil & gas bd.	33

Senator Drinkard offered the following substitute for the deGraffenried substitute for the Resolution, S. R. 307, to-wit:

SUBSTITUTE FOR SUBSTITUTE FOR S. R. 307

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the 30th legislative day of the 1985 Regular Session only:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 763		50
H. B. 920	Downtown Redevelopment Auth.	34
H. B. 1044		55
H. B. 34	Motor Vehicles, motor driven cycle operators lic. after demons. competent operation	40
H. B. 569		46
H. B. 743		57
H. B. 489	Industrial Relations Dept. law enf. off. auth. to keep badges & pistols upon retir.	45
H. B. 304	Relating to newspapers	44
H. B. 163	AL Uniform Cert. of Title & Antitheft Act	2
H. B. 613	Mental Health Dept.	56
H. B. 59	Forest Fire, assessment	
H. B. 2	Motor Vehicles	39
H. B. 60	Forest, fire	58
H. B. 275	To prov. for emergency call boxes	21
H. B. 28	Definition of "city" for city bd. of education purposes	6
H. B. 615	Finance Dept., approp. for Tenn-Tom opening ceremonies	5
H. B. 823	Retirement Systems	38
H. B. 416	State Emp. Retirement, incr.	38
H. B. 461	Writ of habeas corpus, granted without delay, except.	22
H. B. 483	Highways, trucks length & width regu.	62
H. B. 948	Suppl. approp. for Health Planning Agency	53
H. B. 788	Teachers, salary incr.,	23
H. B. 1037	Flood control Auth. auth., in each co. for flood control in urban areas	56
H. B. 542	Invest. empl. by district attorneys	35
H. B. 557	Special Elections	18
H. B. 288	Oil & gas, priv. tax on prod.	28
H. B. 290	Oil & gas bd.	33

On motion of Senator Bishop, said Drinkard substitute for the de-Graffenried substitute was laid on the table.

REGULAR SESSION
30th Day

1925

Yeas 18; Nays 11.

Yeas:

Senators:	Corbett	Figures	Langford	
Aldridge	Covington	Foshee	Little	
Amari	Denton	Goodwin	Smith (J)	
Bishop	Dial	Hilliard	Teague	
Cooley	Dixon	Horn		—18

Nays:

Senators:	Bedsole	deGraffenried	Holmes	
Barron	Bennett	Drinkard	Smith (B)	
Bedford	Cabaniss	Ellis	Strong	—11

And, on motion of Senator Bishop, said deGraffenried substitute was laid on the table.

Yeas 19; Nays 10.

Yeas:

Senators:	Corbett	Figures	Langford	
Aldridge	Covington	Foshee	Little	
Amari	Denton	Goodwin	Parsons	
Bishop	Dial	Hilliard	Smith (J)	
Cooley	Dixon	Horn	Teague	—19

Nays:

Senators:	Bedsole	deGraffenried	Smith (B)	
Barron	Bennett	Drinkard	Strong	
Bedford	Cabaniss	Ellis		—10

Senator Parsons offered the following substitute for the Resolution, S. R. 307, to-wit:

SUBSTITUTE FOR S. R. 307

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all over matters upon reaching bills on third reading for the 30th legislative day of the 1985 Regular Session only:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 490	District Judge Pay Bill	13
H. B. 920	Downtown Redevelopment Auth.	34
H. B. 531	State Dep. Revenue	536
H. B. 34	Motor Vehicles, motor driven cycle operators lic. after demons. competent operation	40
H. B. 476	Seat Belt, Bill	26
H. B. 489	Industrial Relations Dept. law enf. off. auth. to keep badges & pistols upon retir.	45
H. B. 304	Relating to newspapers	44

H. B. 163	AL Uniform Cert. of Title & Antitheft Act	2
H. B. 613	Mental Health Dept.	56
H. B. 59	Forest Fire, assessment	
H. B. 2	Motor Vehicles	39
H. B. 60	Forest, fire	58
H. B. 275	To prov. for emergency call boxes	21
H. B. 28	Definition of "city" for city bd. of education purposes	6
H. B. 615	Finance Dept., approp. for Tenn-Tom opening ceremonies	5
H. B. 823	Retirement Systems	38
H. B. 416	State Emp. Retirement, incr.	38
H. B. 461	Writ of habeas corpus, granted without delay, except.	22
H. B. 483	Highways, trucks length & width regu.	62
H. B. 948	Suppl. approp. for Health Planning Agency	53
H. B. 788	Teachers, salary incr.,	23
H. B. 1037	Flood control Auth. auth., in each co. for flood control in urban areas	56
H. B. 542	Invest. empl. by district attorneys	35
H. B. 557	Special Elections	18
H. B. 288	Oil & gas, priv. tax on prod.	28
H. B. 290	Oil & gas bd.	33

On motion of Senator Bishop, said substitute was laid on the table.

Yeas 20; Nays 7.

Yeas:

Senators:	Covington	Figures	Horn	
Aldridge	Denton	Foshee	Langford	
Bedsole	Dial	Goodwin	Little	
Bishop	Dixon	Hand	Smith (B)	
Cooley	Ellis	Hilliard	Teague	
Corbett				—20

Nays:

Senators:	Cabaniss	Drinkard	Sanders	
Barron	deGraffenried	Parsons	Strong	—7

Senator deGraffenried offered the following substitute No. 2 for the Resolution, S. R. 307, to-wit:

SUBSTITUTE FOR S. R. 307

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking

REGULAR SESSION
30th Day

1927

precedence over all other matters upon reaching bills on third reading for the 30th legislative day of the 1985 Regular Session only:

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
H. B. 920	Downtown Redevelopment Auth.	34
H. B. 34	Motor Vehicles, motor driven cycle operators lic. after demons. competent operation	40
H. B. 489	Industrial Relations Dept. law enf. off. auth. to keep badges & pistols upon retir.	45
H. B. 304	Relating to newspapers	44
H. B. 163	AL Uniform Cert. of Title & Antitheft Act	2
H. B. 613	Mental Health Dept.	56
H. B. 59	Forest Fire, assessment	
H. B. 2	Motor Vehicles	39
H. B. 60	Forest, fire	58
H. B. 275	To prov. for emergency call boxes	21
H. B. 28	Definition of "city" for city bd. of education purposes	6
H. B. 615	Finance Dept., approp. for Tenn-Tom opening ceremonies	5
H. B. 823	Retirement Systems	38
H. B. 416	State Emp. Retirement, incr.	38
H. B. 461	Writ of habeas corpus, granted without delay, except.	22
H. B. 483	Highways, trucks length & width regu.	62
H. B. 948	Suppl. approp. for Health Planning Agency	53
H. B. 788	Teachers, salary incr.,	23
H. B. 1037	Flood control Auth. auth., in each co. for flood control in urban areas	56
H. B. 531	State Dept. of Revenue	46
H. B. 542	Invest. empl. by district attorneys	35
H. B. 557	Special Elections	18
H. B. 288	Oil & gas, priv. tax on prod.	28
H. B. 290	Oil & gas bd.	33

On motion of Senator Bishop, said substitute was laid on the table.

On motion of Senator deGraffenried, said Resolution was then adopted by the Senate.

SPECIAL ORDER
BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the third special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 920. To authorize and make provision for the incorporation in any City in the State of Alabama of a Downtown Redevelopment Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of any such City; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the State; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, public a notice of the adoption of a resolution

authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust endenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for the state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds; to provide for the reincorporation of, and to validate the acts of, certain authorities previously established; to provide that the provisions of this Act are cumulative and severable and to provide for an effective date.

Senator Teague offered the following amendment to the Bill, H. B. 920, to-wit:

AMENDMENT TO H. B. 920

Amend H. B. 920, page 18, Section 9, line 8 by inserting, between the words "taxes" and "to," the following new language:

, other than any sales or use taxes levied by the state or the local sales, use or excise taxes required by state laws to be administered in a parallel manner to state sales or use taxes,

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Senators:	Cooley	Figures	Menton
Aldridge	Corbett	Foshee	Mitchem
Amari	Covington	Goodwin	Parsons
Bailey	deGraffenried	Hand	Sanders
Barron	Denton	Hilliard	Smith (B)
Bedford	Dial	Horn	Smith (J)
Bennett	Dixon	Langford	Strong
Bishop	Drinkard	Little	Teague
Cabaniss	Ellis		

—33

Nays:

—0

And said Bill, H. B. 920, as thus amended, was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Little	
Aldridge	Cooley	Ellis	Menton	
Amari	Corbett	Figures	Parsons	
Bailey	Covington	Foshee	Sanders	
Barron	deGraffenried	Goodwin	Smith (B)	
Bedford	Denton	Hand	Strong	
Bedsole	Dial	Holmes	Teague	
Bennett	Dixon	Langford		—30

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 672. To amend the Alabama Uniform Certificate of Title and Antitheft Act by repealing Section 32-8-48, Code of Alabama 1975, and by amending Section 32-8-87, Code of Alabama, 1975, to include certain requirements set forth in Section 32-8-48 repealed herein, to remove the requirement of surrendering the vehicle identification number plate in certain instances, to provide for the issuance of a salvage certificate of title and the assignment of same, to exempt insurance companies from titling motor vehicles in the name of the company in certain instances, to redefine total loss motor vehicles for clarity, to require certain other documents or items to be surrendered to the Department of Revenue in certain instances, to provide for an inspection of salvage vehicles before retitling, and to provide penalties for violations of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 672, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 672

A BILL TO BE ENTITLED AN ACT

To amend the Alabama Uniform Certificate of Title and Antitheft Act by repealing Section 32-8-48, Code of Alabama, 1975, and by amending Section 32-8-87, Code of Alabama, 1975, to include certain requirements set forth in Section 32-8-48 repealed herein, to remove the requirement of surrendering the vehicle identification number plate in certain instances, to provide for the issuance of a salvage certificate of title and the assignment of same, to exempt insurance companies from titling motor vehicles in the

name of the company in certain instances, to redefine total loss motor vehicles for clarity, to require certain other documents or items to be surrendered to the Department of Revenue in certain instances, to provide for an inspection of salvage vehicles before retitling, to make the operation of a theft facility illegal and to provide for seizure and forfeiture of property used therein, and to provide penalties for engaging in this activity.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-8-48, Code of Alabama, 1975, is hereby repealed.

Section 2. Section 32-8-87 of the Code of Alabama, 1975, is amended to read as follows:

Section 32-8-87. ~~“(a) Each owner of a motor vehicle and each person mentioned as owner in the last certificate of title, when such motor vehicle is dismantled, destroyed or changed in such a manner that it is not the motor vehicle described in the certificate of title, shall surrender his certificate of title to the department of revenue, and thereupon said department shall, with the consent of any liens noted herein, enter a cancellation upon its records. Upon cancellation of a certificate of title in the manner prescribed by this section, the department shall cancel all certificates and all memorandum certificates in that chain of title.”~~

~~(b) When the frame or engine is removed from a motor vehicle and not immediately replaced by another frame or engine, or when an insurance company has paid money as compensation for a total loss of any motor vehicle, such motor vehicle shall be considered to be salvage. The owner of every motor vehicle in which total loss or salvage has occurred shall, within 72 hours after such total loss or salvage occurs, forward to the department the title to the motor vehicle along with its manufacturer's identification number plate (s) and license plates, whereupon the department shall process the title and plate(s) in a manner prescribed by law or regulation. An insurance company which pays money as compensation for total loss of a motor vehicle shall obtain such vehicle's certificate of title, manufacturer's identification number plates and license plate(s) and within 72 hours after receiving them, shall forward them to the department for processing. In the event the payment or monetary settlement was made because of the theft of the vehicle, which shall be considered a total loss as defined in this section, the insurance company shall, in addition to forwarding the certificate of title as provided herein, forward to vehicle's identification number plates and license plates to the department as soon as practicable after the vehicle is recovered. However, nothing in this subsection shall be applicable when a stolen motor vehicle is recovered in substantially intact condition and it readily resalable without extensive repairs to or replacement of the frames or engine.”~~

~~“(c) It shall be unlawful for the owner of any junkyard, scrap metal processing plant or salvage yard or his agents or employees to have in their possession any motor vehicle which is junk or salvage or a total loss when the manufacturer's identification number plates, serial plates and motor vehicle license plates have not been removed therefrom in accordance with the provisions of section 32-8-48. Any person who violates this subsection shall, upon conviction, be guilty of a felony and shall be punished by imprisonment in the state penitentiary for not more than five years or by fine of not more than \$5,000.00 or by both such fine and imprisonment.”~~

~~“(d) It shall be unlawful for any person, firm or corporation to possess, sell or exchange, offer to sell or exchange, or to give away any certificate of~~

~~title or manufacturer's identification number plates, serial plates or motor vehicle license plates of any motor vehicle which has been sold as junk or salvage or as a total loss contrary to the provisions of this section, and every officer, agent or employee of any person, firm or corporation, and every person who shall authorize, direct, aid in or consent to the possession, sale or exchange or offer to sell, exchange or give away such certificate of title, manufacturer's vehicle identification number plates, serial plates, or motor vehicle license plates shall, upon conviction, be guilty of a felony and shall be punished by imprisonment in the state penitentiary for not more than five years or by a fine of not more than \$5,000.00, or by both such fine and imprisonment."~~

~~"(c) For the purpose of this section, a total loss shall occur when the insurer pays to any person 75 percent or more of the cost, at the time of the loss or replacing the wrecked or damaged vehicle with one of like kind and quality."~~

"(a) Each owner of a motor vehicle and each person mentioned as owner in the last certificate of title or a person who acquires a motor vehicle from an owner who scraps, dismantles, destroys or changes the motor vehicle in such a manner that it is not the same motor vehicle described in the certificate of origin or certificate of title, shall within 72 hours thereafter cause the certificate of origin or certificate of title, license plate(s), if any, and any other documents or information required by the department to be mailed or delivered to the department for processing. The department shall, with the consent of any holder of liens noted on the surrendered certificate, enter a cancellation upon its records. Upon cancellation of a certificate of origin or certificate of title in the manner prescribed by this section, the department shall cancel all certificates of origin or certificates of title and all memorandum certificates in that chain of title. A certificate of title for the vehicle shall not again be issued except upon application containing the information the department requires, accompanied by a certificate of inspection in the form and content as specified in this section.

No motor vehicle for which a salvage or junk certificate has been issued by this state or any other state shall be driven or operated on the highways or other public places of this state. However, a vehicle which is in this state and for which a salvage certificate has been issued, and the vehicle is being restored to its operating condition which existed prior to the event which caused the salvage certificate of title to issue, may be moved to and from repair points as necessary by the rebuilder to complete the restoration. A valid Alabama dealer transport (DT) license plate must be displayed on the vehicle during its movement. Any person who violates this subsection shall, upon conviction, be guilty of a Class C misdemeanor and shall be punishable as required by law."

"(b) When the frame or engine is removed from a motor vehicle and not immediately replaced by another frame or engine, or when an insurance company has paid money or made other monetary settlement as compensation for a total loss of any motor vehicle, such motor vehicle shall be considered to be salvage. The owner of every motor vehicle in which total loss or salvage has occurred shall, within 72 hours after such total loss or salvage occurs, make application for a salvage certificate of title and forward to the department along with the certificate of origin or certificate of title to the motor vehicle along with its license plate(s), whereupon the department shall process the certificate of origin or certificate of title and plate(s) in a manner prescribed by law or regulation. An insurance company which pays money

or makes other monetary settlement as compensation for total loss of a motor vehicle shall at the time of payment or monetary settlement obtain such vehicle's certificate of origin or certificate of title and license plate(s) and, within 72 hours after receiving them, shall forward them along with their application for a salvage certificate, to the department for processing. In the event the payment or monetary settlement was made because of the theft of the vehicle, which shall be considered a total loss as defined in this section, the insurance company shall, in addition to forwarding the properly assigned certificate of origin or certificate of title as provided herein, forward the vehicle's license plate(s), if applicable, to the department as soon as practicable after the vehicle is recovered. However, the license plate(s) need not be surrendered when a stolen motor vehicle is recovered in substantially intact condition and is readily resalable without extensive repairs unless, for just reason, the department considers the vehicle to be a total loss or salvage as defined in this section. When a stolen motor vehicle has been reported to the department in compliance with this section and is later recovered, and for which a salvage certificate has been issued, the owner recorded on the salvage certificate shall assign that certificate to the purchaser. Any person who violates this subsection shall, upon conviction, be guilty of a Class C misdemeanor and shall be punishable as required by law."

"(c) If an insurance company acquires a motor vehicle in settlement of an insurance claim and holds the vehicle for resale and procures the certificate of origin or certificate of title from the owner or lienholder within fifteen (15) days after delivery of the vehicle to the insurance company, and if the vehicle was not a total loss as defined by this section, the insurance company need not send the certificate of origin or certificate of title to the department but, upon transferring the vehicle to another person, other than by the creation of a security interest, the insurance company shall complete an affidavit of acquisition and disposition of the motor vehicle on a form prescribed by the department and deliver the certificate of origin or certificate of title, affidavit and any other documents required by the department to the transferee at the time of delivery of the motor vehicle."

"(d) For the purposes of this section, a total loss shall occur when an insurance company or any other person pays or makes other monetary settlement to any person when it is deemed to be uneconomical to repair the damaged vehicle. The compensation for total loss as defined in this subsection shall not include payments by an insurer or other person for medical care, bodily injury, vehicle rental or for anything other than the amount paid for the actual damage to the motor vehicle."

"(e) It shall be unlawful for the owner of any junkyard, scrap metal processing plant, salvage yard, or motor vehicle dismantler and parts recycler or his agents or employees to have in their possession any motor vehicle which is junk or salvage or a total loss when the manufacturer's vehicle identification number plate(s), authorized replacement vehicle identification number plate(s), or serial plate(s) have been removed, unless previously required to be removed by a statute or law of this state or another jurisdiction, or when the motor vehicle license plate(s) have not been removed therefrom in accordance with the provisions of this section. Any person who violates this subsection shall, upon conviction, be guilty of a Class C felony and shall be punishable as required by law."

"(f) It shall be unlawful for any person, firm or corporation to possess, sell or exchange, offer to sell or exchange, or to give away any certificate of origin, certificate of title, salvage certificate of title, manufacturer's identification number plate(s), authorized replacement vehicle identification number

plate(s), serial plate(s), or motor vehicle license plate(s) of any motor vehicle which has been scrapped, dismantled or sold as junk or salvage or as a total loss contrary to the provisions of this section, and every officer, agent or employee of any person, firm or corporation, and every person who shall authorize, direct, aid in or consent to the possession, sale or exchange or offer to sell, exchange or give away such certificate of origin, certificate of title, salvage certificate of title, manufacturer's vehicle identification number plate(s), authorized replacement vehicle identification number plate(s), serial plate(s), or motor vehicle license plate(s) contrary to the provisions of this section, shall, upon conviction, be guilty of a Class C felony and shall be punishable as required by law."

"(g) The department is authorized to issue a salvage certificate of title for a fee of \$4.00, on a form prescribed by the department which shall provide for assignments of this title. Such salvage certificate of title is to replace a certificate of origin or certificate of title required to be surrendered by this section. The department shall prescribe necessary forms and procedures to comply with the provisions of this subsection."

"(h) It shall be unlawful for any person to sign as assignor or for any person to have in his possession a salvage certificate of title which has been signed by the owner as assignor without the name of the assignee and other information called for on the form prescribed by the department. Any person who violates this subsection, upon conviction, shall be guilty of a Class C misdemeanor and shall be punishable as required by law."

"(i) Every owner of a salvage or junk motor vehicle who sells or transfers said vehicle shall provide at the time of the delivery of the vehicle a properly executed assignment and warranty of title to the transferee in the space provided therefor on the salvage certificate of title or junk certificate of title or as the department prescribes. Any person who willfully violates this subsection shall, upon conviction, be guilty of a Class C misdemeanor and shall be punishable as required by law."

"(j) The department may issue a certificate of title to any motor vehicle for which a salvage certificate has been issued by this or any other state, and such vehicle has, in this state, been completely restored to its operating condition which existed prior to the event which caused the salvage certificate of title to issue, provided that all requirements of Section 32-8-87, Code of Alabama, 1975, as amended, have been met. However, no certificate of title shall be issued for any motor vehicle for which a "junk" certificate has been issued or for a vehicle which is sold "for parts only"."

"(k) Every owner of a salvage motor vehicle designated a 1975 year model and all models subsequent thereto which is in this state and which has been restored in this state to its operating condition which existed prior to the event which caused the salvage certificate of title to issue shall make application to the department for an inspection of the vehicle in the form and content as determined by the department. Each application for inspection of a salvage vehicle which has been so restored shall be accompanied by the following:

1. The outstanding salvage certificate or out of state title previously issued for the salvage vehicle.
2. Notarized bills of sale evidencing acquisition of all major component parts (listing the manufacturer's vehicle identification number of the vehicle from which the parts were removed, if

parts contain-contain or should contain the manufacturer's vehicle identification number) used to restore the vehicle.

3. The owner shall also provide a written affirmation which states the following:

(a) He personally rebuilt the vehicle or personally supervised its rebuilders, and what has been done to restore the vehicle to its operating condition which existed prior to the event which caused the salvage certificate to issue.

(b) He personally inspected the completed vehicle and it complies with all safety requirements set forth by the State of Alabama and any regulations promulgated thereunder.

(c) The identification numbers of the restored vehicle and its parts have not, to the knowledge of the owner, been removed, destroyed, falsified, altered or defaced.

(d) The salvage certificate document or out of state title certificate attached to the application has not to the knowledge of the owner been forged, falsified, altered or counterfeited.

(e) All information contained on the application and its attachments is true and correct to the knowledge of the owner."

"(l) The fee for each inspection of a restored vehicle shall be \$75.00, payable by certified funds to the department, which must accompany the application. All such inspection fees received by the department shall be applied toward the personnel and maintenance costs of the vehicle inspection program and such vehicle inspection program shall be conducted by the Alabama Department of Revenue, office of Investigations and Inspections. Upon receipt of the application for inspection, fee of \$75.00, its supporting documents and title fee of \$4.00 (payable by certified funds to the department by separate check), the department shall require an inspection to be made of the vehicle by a qualified agent or law enforcement officer of the Alabama Department of Revenue.

The inspection and certification shall include an examination of the vehicle and its parts to determine that the identification numbers of the vehicle or its parts have not been removed, falsified, altered, defaced, destroyed, or tampered with, that the vehicle information contained in the application for certificate of title and supporting documents is true and correct and that there are no indications that the vehicle or any of its parts are stolen. Such certification shall not attest to the roadworthiness or safety condition of the vehicle."

"(m) Component parts are defined as:

1. Passenger vehicles.

(a) Major components:

1. Motor or engine..

2. Transmission or trans-axle.

3. Trunk floor pan or rear section and roof.

4. Frame or any portion thereof (except frame horn), or, in the case of a unitized body, the supporting

JOURNAL OF THE SENATE, 1985
30th Day

structure which serves as the frame, except when it is a part of the trunk floor pan, or rear section and roof.

5. Cowl, firewall, or any portion thereof.

6. Roof assembly.

(b) Minor Components:

1. Each door allowing entrance to or egress from the passenger compartment.

2. Hood.

3. Each front fender or each rear fender when used with a rear section and roof.

4. Deck lid, tailgate or hatchback (whichever is present).

5. Each quarter panel.

6. Each bumper.

7. T-tops, moon roof, or whichever is present.

2. Truck, truck type or bus type vehicles.

(a) Major components:

1. Motor or engine.

2. Transmission or trans-axle.

3. Frame or any portion thereof (except frame horn), or, in the case of a unitized body, the supporting structure which serves as the frame.

4. Cab.

5. Cowl or firewall or any portion thereof.

6. Pickup box.

7. Body or bed.

8. Roof assembly.

9. Cargo compartment floor panel or passenger compartment floor pan.

(b) Minor Components:

1. Each door.

2. Hood.

3. Grill, except on one ton or smaller trucks.

4. Each bumper.

5. Each front fender.

6. Roof panel and rear cab panel.

7. Each rear fender or side panel.

3. Motorcycle-Component parts.

- (a) Engine or motor.
- (b) Transmission or trans-axle.
- (c) Frame.
- (d) Front fork.
- (e) Crankcase."

"(n) A salvage vehicle which has been restored in this state to its operating condition which existed prior to the event which caused the salvage certificate of title to issue shall be issued a certificate of title which shall contain the word "Rebuilt." However, a passenger vehicle, truck-type or bus-type vehicle restored with a combination of no more than two (2) major component parts, as defined above, and no more than four (4) minor component parts, as defined above; or a combination of no more than six (6) minor component parts, as defined above, shall be issued a certificate of title without "Rebuilt" appearing thereon. A motorcycle restored with less than two (2) component parts, as defined above; shall be issued a certificate of title without "Rebuilt" appearing thereon.

Section 3. For the purposes of this section, the following definitions shall apply:

(a) A theft facility means any area, building, storage lot, field, or any other premises or place where one or more persons are engaged in altering, dismantling, reassembling or in any way concealing or disguising the identity of a stolen motor vehicle; or any area, building, storage lot, field, or any other premises or place where there are three or more stolen motor vehicles present or where there are component parts from three or more stolen vehicles present.

(b) For the purpose of this section, "Major Component Part" means one of the following sub-assemblies of a motor vehicle regardless of its actual market value; front end assembly, including fenders, grill, hood, bumper and related parts; engine; transmission; T-Tops; rear clip assembly, including quarter panels and floor panel assembly, doors, tires, tire wheels, frame, and continuous treads and other devices.

(c) "Motor Vehicle" includes every device in, upon, or by which any person or property is or may be transported or drawn upon a highway which is self-propelled or which may be connected to and towed by a self-propelled device, and also includes any and all other land based devices which are self-propelled but which are not designed for use upon a highway, including but not limited to farm machinery, bulldozers, and steam shovels.

(1) Any person who shall knowingly own, operate or conduct a theft facility or who knowingly aids and abets another person in owning, operating or conducting a theft facility shall be guilty of a Class C felony and shall be punishable as required by law. In addition to any punishment rendered, each such person convicted shall be subject to the laws regarding restitution of the State.

(2) Upon proper process and hearing as required by the State of Alabama in forfeiture proceedings, the following property may be seized and

held for forfeiture, as described above, when any person is charged with a violation of this section, such forfeiture and sale to take place after conviction:

(a) Any engine, tool, machine, implement, device, chemical, or substance used or designed for altering, dismantling, reassembling or in any other way concealing or disguising the identity of a stolen motor vehicle or any major component part.

(b) Any stolen motor vehicle or major component part found at the site of a theft facility or any motor vehicle or major component part for which there is a probable cause to believe that it is stolen.

(c) A wrecker, car hauler, or any other motor vehicle that is used or has been used to convey or transport a stolen motor vehicle or major component part.

(3) All such proceeds of forfeiture and sale shall be divided equally between the district attorney's fund who proceeded with the forfeiture and sale and the Alabama Department of Public Safety, Auto Theft Division, or its successor.

(4) The records pertaining to a salvage vehicle, junk vehicle, new vehicle, rebuilt vehicle, or the parts of a vehicle, shall be available for inspection by an agent or employee of the Department of Public Safety during normal business hours.

(5) Failure to allow inspection or interference with an agent or employee of the Department of Public Safety inspecting the records of a rebuilder, salvage yard, motor vehicle dealer, reconitioner or salvage sales shall, upon conviction, be guilty of a Class A misdemeanor and shall be punishable as provided by law.

Section 4. Severability.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. Repealer.

All laws or parts of laws or rules in conflict or inconsistent with this Act are hereby repealed.

Section 6. Effective Date.

This Act shall become effective on the first day of the second month following its passage and approval by the Governor, or upon its otherwise becoming a law.

Also:

AMENDMENT TO SUBSTITUTE FOR SENATE BILL 672

Amend Substitute to Senate Bill 672, page 6, line 30, after the period by adding the following:

If the estimate of repair exceeds seventy-five percent (75%) of the actual cash value of the vehicle as determined by the estimate of the insurance company, the vehicle identification plate shall be removed and forwarded to the Department of Revenue within seventy-two (72) hours. If this vehicle is rebuilt, the title shall be stamped "rebuilt".

Also:

AMENDMENT TO SUBSTITUTE FOR S. B. 672

Amend Senate Bill 672 as Substituted, page 4, line 18, after the word any and the comma by inserting the following:

vehicle identification number plates

Also:

AMENDMENT TO SUBSTITUTE FOR S. B. 672

Amend House Substitute for S. B. 672 on page 13 line 8, after word proceedings, add the following:

"including notifying any lien holders,"

Yeas 29; Nays 0.

Yeas:

Senators:	Bishop	Drinkard	Langford
Aldridge	Cabaniss	Ellis	Little
Amari	Cooley	Figures	Menton
Bailey	Covington	Foshee	Sanders
Barron	deGraffenried	Goodwin	Smith (B)
Bedford	Denton	Hand	Strong
Bedsole	Dial	Holmes	Teague
Bennett	Dixon		

—29

Nays:

—0

MOTION TO ADJOURN LOST

At 11:25 P.M., Senator Goodwin moved that the Senate adjourn sine die, which motion was lost.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 34. To amend Sections 32-12-22, 32-6-1, 32-6-3, 32-6-4, and 32-6-8 of the Code of Alabama 1975, relating to motorcycles and motor-driven cycles, so as to provide further for the licensing therefore, and relating to motor vehicles and obtaining a driver's license to operate a motor-driven cycle, so as to provide that the director of public safety or an examining officer shall observe the applicant operate a motor-driven cycle in a competent manner prior to the granting of an operator's license and to increase the fees and further provide for the requirements of licensing motor-driven cycles and motorcycles.

was taken up.

Senator Corbett offered the following amendment to the Bill, H. B. 34, to-wit:

AMENDMENT TO H. B. 34

Amend House Bill No. 34, Page 2 Line 14, by striking out "and the payment of \$1.00" after the word "license"

On motion of Senator Drinkard, said amendment was laid on the table.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 6. To raise the legal age for a person to purchase, consume, possess, or to transport alcoholic beverages, to provide criminal penalties, and to provide that juvenile offenders shall be incarcerated, if so sentenced, in juvenile detention facilities, and to exempt persons 19 years of age or older on the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 606. To amend Section 37-3-4, Code of Alabama 1975, relating to the exemption of certain motor vehicle carriers from regulation by the Public Service Commission, so as to include wrecker services within the exemptions.

Also:

H. 999. Relating to Mobile County; to provide further for the disposition and use of the funds received by Mobile County under the provisions of Title 40, Chapter 20, Article 1, Code of Alabama 1975, as amended, providing for the levy of a privilege tax on the production of oil and gas; and to specifically repeal Act No. 870, H. 1517, Regular Session 1975 (Acts 1975, p. 1714), providing further for the disposition and use of a certain portion of the funds received by Mobile County from an oil and gas severance tax, and all other laws or parts of laws in conflict herewith.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 34

The Senate proceeded to further consideration of the Bill, H. B. 34.

And said Bill, H. B. 34, was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Senators:	Cabaniss	Dixon	Menton
Aldridge	Cooley	Drinkard	Mitchem
Amari	Corbett	Ellis	Sanders
Bedford	Covington	Figures	Smith (B)
Bedsole	deGraffenried	Foshee	Smith (J)
Bennett	Denton	Langford	Teague
Bishop	Dial	Little	

—26

Nays: —0

BILLS ON THIRD READING RESUMED

Senator Bedford requested permission to suspend the Rules in order to bring up the following Bill:

H. 743. To provide further for the regulation, control, abatement and prevention of environmental problems in the state, including problems resulting from air and water pollution, solid and hazardous waste management activities, coastal area activities, the supply of drinking water, water well drilling and the operation of water and wastewater treatment plants. Specifically, this Act amends Section 22-22A-5, Code of Alabama 1975, as amended, to authorize the Alabama Department of Environmental Management to issue administrative orders or commence civil actions for the assessment of civil penalties for violation of laws which it administers and to require that such penalties be deposited to the credit of the general fund; to provide for the same liability of responsible corporate officers in civil actions under this Act as is provided in criminal actions under the Federal Food, Drug and Cosmetic Act as construed in United States v. Dotterweich, 320 U.S. 277 (1943), and United States v. Park, 421 U.S. 658 (1975); to authorize the Alabama Department of Environmental Management, Attorney General or District Attorneys to commence civil actions to enjoin violations of laws administered by the Alabama Department of Environmental Management; to clarify the authority of the Alabama Department of Environmental Management to enforce the provisions of laws which it administers and to issue licenses. This Act also amends Section 22-22A-7, Code of Alabama 1975, as amended, to provide that administrative action which was or could have been reviewed by the Environmental Management Commission shall not be subject to judicial review in civil or criminal enforcement proceedings. This Act also amends Section 22-22A-11, Code of Alabama 1975 as amended, relating to the Alabama Department of Environmental Management Fund to allow for deposit of fines and penalties into the general fund. This Act also amends Sections 9-7-22, 22-22-9, 22-28-22 and 22-23-52, Code of Alabama 1975, as amended, to repeal provisions relating to civil actions for the recovery of penalties and injunctive relief. This Act also amends Section 22-22-9, Code of Alabama 1975, as amended, to clarify that enforcement provisions are applicable to permits and orders issued by the Alabama Department of Environmental Management; to clarify that certain provisions apply to pollutants as well as sewage, industrial wastes or other wastes; and to clarify existing subpoena powers. This Act also amends Section

22-28-22, Code of Alabama 1975, as amended, to clarify existing subpoena powers. This Act also amends Section 22-28-23, Code of Alabama 1975, as amended, to provide that local air pollution programs may adopt provisions for administrative assessment of civil penalties and issue permits in lieu of permits from the Department. This Act also amends Section 22-30-19, Code of Alabama 1975, as amended, to repeal provisions relating to administrative assessment of penalties; to permit representatives of the Alabama Department of Environmental Management to enter premises, including transportation facilities, for purposes related to the administration of the Hazardous Wastes Management Act of 1978, including inspection and copying of records required to be maintained; to make criminal a culpable omission in an application, label, manifest, record, report, permit or document and the destruction, alteration, concealment or failure to maintain or file certain documents; and to increase the fines for criminal offenses.

Senator Bedford requested that the Journal show that Senator Aldridge objected to the suspension of the Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 66. To be known as the "Long-term Residential Care Recipient Ombudsman Act"; to provide general definitions; to authorize the State Long-Term Care Ombudsman and the Alabama Commission on Aging to investigate complaints concerning long-term residential care facilities and to certify community ombudsmen; to provide for the selection, training, and duties of community ombudsmen; to establish procedures for receiving, investigating, and resolving complaints; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Amari, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 66, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 66

A BILL TO BE ENTITLED AN ACT

To be known as the "Long-term Residential Health Care Recipient Ombudsman Act"; to provide general definitions; to authorize the State Long-Term-Care Ombudsman and the Alabama Commission on Aging to investigate complaints concerning health care facilities and those providers and institutions which treat patients or residents of health care, domiciliary or residential facilities to; certify community ombudsmen; to provide for the selection training, and duties of community ombudsmen; to establish procedures for receiving, investigating, and resolving complaints; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Short title.

This Act shall be known and may be cited as the Long-term Residential Health Care Recipient Ombudsman Act.

Section 2. Definitions.

For the purposes of this Act, the following words shall have the meanings ascribed to them by this section:

ADMINISTRATOR. Any person charged with the general administration or supervision of a health care, domiciliary or residential facility without regard to whether such person has an ownership interest in such facility or to whether such person's functions and duties are shared with one or more other persons.

COMMISSION. The Alabama Commission on Aging.

COMMUNITY OMBUDSMAN. A person selected by an Area Agency on Aging who is then trained and certified as such by the Commission pursuant to Section 4 of this Act.

HEALTH CARE FACILITY. Any skilled nursing facility, intermediate care facility, domiciliary, boarding home facility or hospital now or hereafter subject to regulation or licensure by the Bureau of Licensure and Certification of the State Department of Health or a County Department of Health which provides any generally accepted facet of long-term residential health care or treats any recipient of long-term residential health care.

LONG-TERM RESIDENTIAL HEALTH CARE. Those health care services rendered to an individual who is a resident in-patient of a health care facility for any period which is expected to exceed ninety (90) days.

OMBUDSMAN. The state ombudsman or any community ombudsman.

RECIPIENT. Any person receiving long-term residential health care treatment in any health care facility in all its aspects including, but not limited to, admission, retention, confinement, commitment, length of stay, transfer, discharge, physical examination, issuing or filling a prescription for a controlled pharmaceutical substance, dispensing drugs or medication, counseling and/or treatment, and any instances directly related.

STATE OMBUDSMAN. The State Long-Term Residential Health Care Recipient Ombudsman, currently known as the Nursing Home Ombudsman of the Alabama Commission on Aging. The state ombudsman shall be appointed by the Commission and shall report to the Executive Director of the Commission.

Section 3. Duties of the State Ombudsman and the Commission.

The state ombudsman and the Commission are hereby authorized to investigate complaints concerning health care, domiciliary and residential care facilities. The state ombudsman shall promote the well-being and quality of life of long-term residential health care recipients and encourage the development of community ombudsman activities at the local level. After appropriate training and approval by the Commission, community ombudsmen shall be certified by the Commission and shall have the powers and responsibilities set forth in Sections 4 and 6 of this Act, subject to the procedures established by the state ombudsman pursuant to Section 5 of

this Act. The state ombudsman shall submit to the Commission an annual written report documenting the kinds of complaints and problems reported so that the Commission can make recommendations concerning needed policy, regulatory, and legislative changes.

Section 4. Community Ombudsmen; Selection; Training; Duties.

(1) Each Area Agency on Aging funded by the Commission shall select at least one community ombudsman in each Planning and Service Area established according to regulations issued pursuant to the Older Americans Act of 1965, as amended. The community ombudsman shall be an employee or contractual employee of the Area Agency on Aging and shall certify to having no association with any health care facility or provider for reward or profit.

(2) The duties of each community ombudsman shall be as follows:

(a) To receive, investigate, respond to, and attempt informally to resolve complaints made by or on behalf of recipients;

(b) To report immediately instances of fraud, abuse, neglect, or exploitation to the Department of Pensions and Security for investigation and follow-up pursuant to the Adult Protective Services Act of 1976 and the Child Abuse and Neglect Act;

(c) To serve as a third-party mechanism for protecting the health, safety, welfare, and human rights of recipients;

(d) To report immediately any complaint that cannot be resolved informally to the state ombudsman for appropriate action under Section 8 of this Act;

(e) To collect data about the number and kinds of complaints handled; and

(f) To report regularly to the state ombudsman about the data collected and activities of the community ombudsman program.

(3) A description of the operation of its community ombudsman program shall be included by each Area Agency on Aging in its Area Plan, which is subject to the approval of the Commission.

(4) Each Area Agency on Aging shall immediately notify the Commission of the selection of, and request the certification of, prospective community ombudsmen.

(5) The state ombudsman shall arrange for the training of all prospective community ombudsmen selected by Area Agencies on Aging. Such training shall include instructions in at least the following subjects as they relate to health care:

(a) The responsibilities, duties and authority of community ombudsmen;

(b) The laws and regulations governing the receipt, investigation, and resolution of complaints;

(c) The role of local, state and federal agencies that regulate health care facilities;

(d) The different kinds of health care facilities in Alabama and the services provided in each setting;

REGULAR SESSION
30th Day

1945

(e) The special needs of the elderly and of the physically and mentally handicapped;

(f) The role of the family, the sponsor, the legal representative, the physician, the church and other public and private agencies, and the community;

(g) How to work with health providers, medical professionals and staff;

(h) The laws and regulations governing Medicare, Medicaid, Social Security, Supplemental Security Income, and the Veterans Administration; and

(i) The licensure requirements for administrators of hospitals, nursing homes, home health care agencies, etc., including familiarity with the actual information required to obtain the various licenses.

(6) Persons selected by Area Agencies on Aging who shall have satisfactorily completed the training arranged by the state ombudsman shall be certified as community ombudsmen by the Commission. The certification can be terminated at any time by the Alabama Commission on Aging or appropriate Area Agency on Aging:

(a) When the community ombudsman is no longer employed by the Alabama Commission on Aging or Area Agency on Aging;

(b) For cause.

(7) Each Area Agency's on Aging Advisory Council shall appoint a subcommittee to advise it in the operation of its community ombudsman program. The number and qualification of members of the advisory subcommittee shall be determined by the Area Agency on Aging but shall contain adequate representation from the various types of health facilities covered under the Area Agency community ombudsman plan.

Section 5. Procedures for receiving complaints; posting requirements.

The state ombudsman shall establish written procedures for receiving complaints involving long-term residential health care facilities and their employees. The Commission on Aging shall provide to health care, domiciliary and residential facilities written information on the ombudsman program to be distributed to recipients at the time of admission, or rendering of care and/or treatment at a facility.

Section 6. Procedures for resolving complaints.

(1) A community ombudsman's access to any health care facility shall be limited to standard operating hours unless prior arrangements with the operator of the facility has been made. If the complaint involves more than one provider or alleges to involve more than one provider, the ombudsman shall investigate all providers.

(2) Any complaint requiring remedial action and deemed valid by the ombudsman shall be identified and brought to the attention of the administrator or provider involved and followed up in writing within a reasonable time. Upon receipt of such document, the administrator or provider, in coordination with the ombudsman, shall establish a course of appropriate remedial action. If the remedial action is not forthcoming within a reasonable time, the ombudsman must refer the case to the state ombudsman who may take any one or more of the following actions:

(a) Allow more time if the state ombudsman has reason to believe such action would facilitate resolution of the complaint;

(b) Refer a complaint regarding a nursing home, hospital or domiciliary in writing to the Bureau of Licensure and Certification.

(c) Refer a complaint regarding a boarding house to the appropriate agency and request that appropriate action be initiated.

(d) Refer any and all complaints arising out of or in any way related to the provision of any medical or surgical service or medical care and treatment to a recipient by a physician licensed to practice medicine in Alabama, in whatever setting the said complaint should arise, to the State Board of Medical Examiners only.

(3) The Commission on Aging, the state ombudsman and the affected community ombudsman shall be kept advised and shall be notified in writing by the state agency of the resolution of any complaint that has been referred to the state agency by the state ombudsman.

(4) Any ombudsmen shall respect the right to privacy of all involved parties when engaged in resolving complaints. Any requests to review information concerning the medical condition of a recipient or any health care facility records of a recipient must be accompanied by a current valid duly executed authorization and release which has been signed by the recipient or by one legally authorized to act on behalf of the recipient. Requests for copies of any medical records must be accompanied by a current valid duly executed authorization and release which has been signed by the recipient or by one legally authorized to act on behalf of the recipient. Any physician providing medical information and/or copies of medical records and any health care facility providing copies of health care facility medical records shall be entitled to the payment of a reasonable charge for the preparation and/or reproduction of the records. Information concerning any aspect of a complaint resolution proceeding shall be kept confidential and shall not be disclosed by an ombudsman to any person not directly involved in the particular complaint, except in strict accordance with the provisions of this act. Such disclosure shall result in the ombudsman's dismissal.

Section 7. Limited Immunity.

Any person or agency who in good faith participates in the making of a report or provides information or evidence in direct accordance with the procedures for resolving complaints under the provisions of this act shall, in so doing, be immune from any liability, civil or criminal, that might otherwise be incurred or imposed. Notwithstanding the foregoing, this immunity shall not apply if an ombudsman communicates any information concerning a complaint to any party not involved in such complaint.

Section 8. Repealer.

All laws and parts of laws in conflict with this Act are, to the extent of such conflict, repealed.

Section 9. Severability.

Should any portion of this Act be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Act, which shall continue effective.

Section 10. Effective date.

This Act shall become effective 180 days after its being signed by the Governor, or upon its otherwise becoming a law.

REGULAR SESSION
30th Day

1947

Yeas 26; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Menton	
Amari	Covington	Foshee	Mitchem	
Bedford	deGraffenried	Hand	Sanders	
Bedsole	Denton	Hilliard	Smith (B)	
Bennett	Dial	Holmes	Strong	
Cabaniss	Dixon	Langford	Teague	
Cooley	Drinkard	Little		—26

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 453. To conditionally appropriate from the State Lands Fund the sum of \$13,500,000 to the Department of Conservation and Natural Resources for the fiscal year beginning on October 1, 1985.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Teague, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 453, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 453

Senate Bill 453 as introduced on page 1, Section 1, line 28, by striking out the figure "4,900,000" after the letter "(b)" and insert in lieu thereof the figure "4,150,000";

Further amend Senate Bill 453 on page 1, after line 29, by inserting the following:

"(c) \$750,000 for the acquisition of Cathedral Caverns."

Yeas 30; Nays 2.

Yeas:

Senators:	Cooley	Foshee	Menton	
Aldridge	Covington	Goodwin	Mitchem	
Bailey	deGraffenried	Hand	Parsons	
Barron	Denton	Hilliard	Sanders	
Bedsole	Dial	Holmes	Smith (B)	
Bennett	Dixon	Horn	Strong	
Bishop	Drinkard	Langford	Teague	
Cabaniss	Ellis	Little		—30

Nays:

Senators: Corbett Smith (J)

—2

BILLS ON THIRD READING RESUMED

THE BILL:

H. 489. To amend Sections 36-30-1 and 36-30-20, Code of Alabama 1975, which provide for compensation for death or disability of certain law enforcement personnel, and Section 36-21-8, Code of Alabama 1975, which provides for the retention of badges and pistols upon retirement by certain law enforcement personnel, so as to include officers of the Department of Industrial Relations within these provisions.

was taken up.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 489, was postponed subject to the call of the Chair.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 1056. To amend Act No. 92, Acts of Alabama 1956, providing for the "Baldwin County Law Library Fund" so as to redesignate it the "Baldwin County Law Library and Judicial Administration Fund"; to provide that the fund may be used, in addition to purchasing law books, periodicals and equipment for the library, for the purposes of furthering the effective administration of justice as provided herein; to designate eighty percent (80%) of said fund for the purposes of maintaining the county law library and twenty percent (20%) for the purposes of judicial administration; and to provide an effective date.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you, the legislative body in which it originated, House Bill No. 1056, without the Governor's signature but with a suggested Executive Amendment and a Message from the Governor of the State of Alabama.

Done this 20th day of May, 1985.

Respectfully submitted,

ELVIN L. STANTON,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the legislative body in which it originated, House Bill No. 1056, without my signature, but with the following Executive Amendment, which would make said Bill acceptable to me:

EXECUTIVE AMENDMENT TO HOUSE BILL NO. 1056

Amend House Bill No. 1056, on page 2, Section 3, after the word sum of, delete "\$1.00" and insert in lieu thereof "\$1.50". With the above changes this Bill will be acceptable to me.

Done this 20th day of May, 1985.

Respectfully submitted,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of those voting, said vote being: Yeas 90; Nays 0.

And said Bill, H. 1056, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Senate Hand, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1056, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hilliard	Mitchem	
Aldridge	Denton	Holmes	Sanders	
Barron	Dial	Horn	Smith (B)	
Bedford	Dixon	Langford	Smith (J)	
Bedsole	Ellis	Little	Strong	
Bennett	Figures	Menton	Teague	
Cooley	Hand			—25

Nays: —0

which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 304. To amend Section 6-8-64, Code of Alabama 1975, which relates to the cost of publishing legal advertising to allow weekly newspapers to

charge their current published commercial classified advertising rate for legal notice advertising.

was taken up.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 304, was postponed subject to the call of the Chair.

THE BILL:

H. 613. To amend Section 12-15-90 of the code of Alabama 1975, relating to juvenile proceedings so as to provide for the discharge from custody of a minor or child involuntarily committed to the custody of the department of mental health and mental retardation who, in the judgment of the department, has gained maximum benefit from institutional treatment or is no longer in need of the services of the department or has gained maximum benefit from the programs of the department.

was taken up.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 613, was postponed subject to the call of the Chair.

THE BILL:

H. 59. To propose an amendment to the Constitution of Alabama 1901, to provide for the promotion of forest fire protection on forest lands within this state; to provide for the levying, collecting and distribution of assessments for costs; to provide for certain local laws heretofore enacted; to provide for similar local forest fire protection and assessment programs; upon ratification by the voters of this amendment; and to authorize the legislature to provide funds for the administration of such forest fire protection program.

was taken up.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 59, was postponed subject to the call of the Chair.

THE BILL:

H. 2. To prohibit persons without a proper decal from parking a motor vehicle in certain handicapped parking places and to provide fines for violating the provisions of this act; and to provide that certain law enforcement officers may go onto private property to enforce the provisions of this act.

was taken up.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 2, was postponed subject to the call of the Chair.

THE BILL:

H. 60. To provide protection against forest fires within the state; to assess a part of the cost thereof against forest lands in the state, and to prescribe the procedure for levying and collecting such assessments; and to provide that it shall become effective upon ratification of constitutional amendment authorizing its provisions.

was taken up.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 60, was postponed subject to the call of the Chair.

REGULAR SESSION
30th Day

1951

THE BILL:

H. 275. To provide for emergency call boxes on Interstate Highway 65 between Montgomery and Mobile and appropriate necessary funds.

was taken up.

Senator deGraffenried, moved that further consideration of the Bill, H. B. 275, be postponed subject to the call of the Chair.

Senator Bedsole moved that the motion to postpone be laid on the table, which motion was lost.

The question recurred on the motion of Senator deGraffenried that further consideration of the Bill, H. B. 275, be postponed subject to the call of the Chair, which resulted in a tie vote.

And the President and Presiding Officer of the Senate voted "Nay", therefore the motion to postpone was lost.

And said Bill, H. B. 275, was then read a third time at length and passed.

Yeas 27; Nays 1.

Yeas:

Senators:	Cabaniss	Figures	Menton	
Aldridge	Cooley	Foshee	Parsons	
Bailey	Corbett	Hand	Sanders	
Barron	Covington	Hilliard	Smith (B)	
Bedford	Denton	Holmes	Smith (J)	
Bedsole	Dial	Langford	Strong	
Bishop	Drinkard	Little	Teague	—27

Nay Senator Dixon —1

THE BILL:

H. 28. To amend Section 16-11-1, Code of Alabama 1975, which defines the word "city" for city boards of education purposes, so as to include municipalities in which four-year institutions of higher learning are located within said definition.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, H. B. 28, to-wit:

COMMITTEE AMENDMENT TO H. B. 28

Amend H. B. 28, page 1, Section 1, line 30 by adding after the word "learning" the following language:

or a facility of a four year institution

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Goodwin	Mitchem	
Amari	deGraffenried	Hand	Parsons	
Bailey	Dial	Hilliard	Sanders	
Bedford	Dixon	Holmes	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Bennett	Figures	Little	Teague	—27

Nays:

—0

And said Bill, H. B. 28, as thus amended, was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Mitchem	
Aldridge	Cooley	Foshee	Parsons	
Amari	Covington	Goodwin	Sanders	
Bailey	deGraffenried	Hand	Smith (B)	
Barron	Denton	Holmes	Smith (J)	
Bedford	Dixon	Langford	Strong	
Bedsole	Drinkard	Little	Teague	
Bennett	Ellis	Menton		—30

Nays:

—0

RESOLUTION

Senator Dixon offered the following Senate Resolution, to-wit:

S. R. 308. COMMENDING DUNCAN T. BLACK, JUNIOR, OF MONTGOMERY, ALABAMA.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 94. To provide for the appointment of one additional employee to serve as a confidential assistant in the clerk's office of the Court of Criminal Appeals, to provide for the duties of that employee, to fix the compensation and to make an appropriation for carrying out the provisions of this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 920. To authorize and make provision for the incorporation in any City in the State of Alabama of a Downtown Redevelopment Authority for

the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of any such City; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the State; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for the state ad valorem taxes; to exempt every such Authority from all

license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds; to provide for the reincorporation of, and to validate the acts of, certain authorities previously established; to provide that the provisions of this Act are cumulative and severable and to provide for an effective date.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 450. To amend Sections 41-9-780, 41-9-781, 41-9-782, 41-9-783, 41-9-786, 41-9-787, Code of Alabama 1975, which creates the Tennessee Valley Authority Exhibit Commission of Alabama, so as to change the name of the Commission to the Tennessee Valley Exhibit Commission; to alter the composition of the Commission, and to provide further for the issuance of obligations.

Also:

S. 94. To provide for the appointment of one additional employee to serve as a confidential assistant in the clerk's office of the Court of Criminal Appeals, to provide for the duties of that employee, to fix the compensation and to make an appropriation for carrying out the provisions of this act.

Also:

S. 453. To conditionally appropriate from the State Lands Fund the sum of \$13,500,000 to the Department of Conservation and Natural Resources for the fiscal year beginning on October 1, 1985.

Also:

S. 66. To be known as the "Long-term Residential Health Care Recipient Ombudsman Act"; to provide general definitions; to authorize the

State Long-Term-Care Ombudsman and the Alabama Commission on Aging to investigate complaints concerning health care facilities and those providers and institutions which treat patients or residents of health care, domiciliary or residential facilities to; certify community ombudsmen; to provide for the selection training, and duties of community ombudsmen; to establish procedures for receiving, investigating, and resolving complaints; and to provide an effective date.

S. 672. To amend the Alabama Uniform Certificate of Title and Antitheft Act by repealing Section 32-8-48, Code of Alabama, 1975, and by amending Section 32-8-87, Code of Alabama, 1975, to include certain requirements set forth in Section 32-8-48 repealed herein, to remove the requirement of surrendering the vehicle identification number plate in certain instances, to provide for the issuance of a salvage certificate of title and the assignment of same, to exempt insurance companies from titling motor vehicles in the name of the company in certain instances, to redefine total loss motor vehicles for clarity, to require certain other documents or items to be surrendered to the Department of Revenue in certain instances, to provide for an inspection of salvage vehicles before retitling, to make the operation of a theft facility illegal and to provide for seizure and forfeiture of property used therein, and to provide penalties for engaging in this activity.

CHARLES BISHOP,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 34. To amend Sections 32-12-22, 32-6-1, 32-6-3, 32-6-4, and 32-6-8 of the Code of Alabama 1975, relating to motorcycles and motor-driven cycles, so as to provide further for the licensing therefor, and relating to motor vehicles and obtaining a driver's license to operate a motor-driven cycle, so as to provide that the director of public safety or an examining officer shall observe the applicant operate a motor-driven cycle in a competent manner prior to the granting of an operator's license and to increase the fees and further provide for the requirements of licensing motor-driven cycles and motorcycles.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been

publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 275. To provide for emergency call boxes on Interstate Highway 65 between Montgomery and Mobile and appropriates necessary funds.

Also:

H. 920. To authorize and make provision for the incorporation in any City in the State of Alabama of a Downtown Redevelopment Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of any such City; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such

securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the State; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for the state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds; to provide for the reincorporation of, and to validate the acts of, certain authorities previously established; to provide that the provisions of this Act are cumulative and severable and to provide for an effective date.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1056. To amend Act No. 92, Acts of Alabama 1956, providing for the "Baldwin County Law Library Fund" so as to redesignate it the "Baldwin County Law Library and Judicial Administration Fund"; to provide that the fund may be used, in addition to purchasing law books, periodicals and equipment for the library, for the purposes of furthering the effective administration of justice as provided herein; to designate eighty percent (80%) of said fund for the purposes of maintaining the county law library and twenty percent (20%) for the purposes of judicial administration; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 12	S. B. 487
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S. B. 162

Delivered to the Governor, May 20, 1985, at 1:05 P.M.

S. B. 435	S. B. 641
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S. B. 550	S. B. 411
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S. B. 555	S. B. 305
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Delivered to the Governor, May 20, 1985, at 8:10 P.M.

S. B. 386	S. J. R. 231
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S. B. 649	S. J. R. 238
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S. B. 285	S. J. R. 239
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S. B. 511	S. J. R. 240
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S. B. 218	S. J. R. 241
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S. J. R. 50	S. J. R. 246
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S. J. R. 114	S. J. R. 263
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S. J. R. 123	S. J. R. 295
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S. J. R. 227	S. J. R. 306
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S. J. R. 233

Delivered to the Governor, May 20, 1985, at 10:40 P.M.

REGULAR SESSION
30th Day

1959

S. B. 66

S. B. 94

S. B. 672

S. B. 450

S. B. 453

Delivered to the Governor, May 20, 1985, at 11:50 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Twenty-Ninth and Thirtieth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,
Chairperson.

COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journals of the Senate for the Twenty-Ninth and Thirtieth Legislative Days were approved by the Senate.

ADJOURNMENT

The hour of midnight having arrived, the Senate adjourned sine die.

/s/ McDOWELL LEE,

McDOWELL LEE,
Secretary of Senate.

ROSTER OF THE SENATE OF ALABAMA

1985

Bill Baxley, <i>Lieutenant Governor</i>	State Capitol, Montgomery
John A. Teague, <i>President Pro-Tem</i>	Childersburg
McDowell Lee, <i>Secretary</i>	Montgomery
John D. Crawford, <i>Assistant Secretary</i>	Montgomery
Mrs. William R. Lawley, Jr., <i>Chief Clerk</i>	Montgomery
District No. 1—Lauderdale, Colbert	
Bobby Denton	Bank Independent, P. O. Drawer B, Sheffield 35660
District No. 2—Madison, Limestone, Lauderdale	
Jim Smith	108-A South Side Square, Huntsville 35801
District No. 3—Lawrence, Morgan	
Gary L. Aldridge	Rt. 4, Box 383-A Hartselle 35640
District No. 4—Cullman, Morgan, Madison	
Steve Cooley	P.O. Box 1186, Cullman 35056
District No. 5—Pickens, Tuscaloosa, Walker	
Charles Bishop	P.O. Box 2328, Jasper 35501
District No. 6—Franklin, Marion, Winston, Lamar, Fayette	
Roger H. Bedford	P. O. Box 669, Russellville 35653
District No. 7—Madison	
Bill G. Smith	2009 Gallatin St., S.W., Huntsville 35801
District No. 8—Madison, Jackson, DeKalb	
Lowell R. Barron	P. O. Box 65, Fyffe 35971
District No. 9—Marshall, Blount, DeKalb	
Hinton Mitchem	P. O. Box 297, Albertville 35950
District No. 10—Etowah	
Bill Drinkard	P. O. Box 372, Gadsden 35902
District No. 11—Elmore, Talladega, Coosa	
John A. Teague	P. O. Box 427, Childersburg 35044
District No. 12—Calhoun	
Donald G. Holmes	1916 Robinhood Drive, Oxford 36203
District No. 13—Chambers, Clay, Randolph, Cleburne, Cherokee, DeKalb	
Gerald Dial	P. O. Box 248, Lineville 36266
District No. 14—St. Clair, Shelby, Bibb	
Frank (Butch) Ellis, Jr.	P. O. Box 587, Columbiana 35051

- District No. 15—Jefferson
John E. Amari 9636 Parkway East, Birmingham 35215
- District No. 16—Jefferson
William J. Cabaniss, Jr. P. O. Box 19925,
Birmingham 35219
- District No. 17—Jefferson
Mac Parsons 2027 20th Ave. N., Birmingham 35203
- District No. 18—Jefferson
Fred Horn 333 16th Ave. S.W., Birmingham 35211
- District No. 19—Jefferson
Jim Bennett Tannehill St. Park, Rt. 1, Box 124
McCalla 35111
- District No. 20—Jefferson
Earl F. Hilliard P. O. Box 11385, Birmingham 35202
- District No. 21—Hale, Tuscaloosa
Ryan deGraffenried, Jr. P. O. Box 2263,
Tuscaloosa 35403
- District No. 22—Marengo, Clarke, Choctaw,
Washington, Monroe, Conecuh
Frances (Sister) Strong 400 South Main,
Demopolis 36732
- District No. 23—Choctaw, Sumter, Greene, Perry,
Dallas, Wilcox, Lowndes
Henry (Hank) Sanders P. O. Box 1305, Selma 36702
- District No. 24—Dallas, Autauga, Chilton, Bibb
Earl Goodwin P. O. Box 886, Selma 36702
- District No. 25—Montgomery
Larry Dixon P. O. Box 946, Montgomery, 36102
- District No. 26—Montgomery, Elmore
Charles D. Langford 918 East Grove Street,
Montgomery 36104
- District No. 27—Tallapoosa, Lee
T. D. (Ted) Little P. O. Box 2366, Auburn 36830
- District No. 28—Macon, Bullock, Barbour, Russell
J. Danny Corbett Route 7, Box 821, Phenix City 36867
- District No. 29—Henry, Houston, Geneva
Chip Bailey P. O. Box 6791, Dothan 36302
- District No. 30—Butler, Crenshaw, Pike, Dale
J. Foy Covington, Jr. Rt. 2, Newville 36353
- District No. 31—Coffee, Covington, Escambia
E. C. (Crum) Foshee 419 Church St., Andalusia 36420
- District No. 32—Baldwin, Mobile
Perry A. Hand P. O. Box 478, Gulf Shores 36542

REGULAR SESSION

1963

District No. 33—Mobile

Michael A. Figures 2317 St. Stephens Rd.,
Mobile 36617

District No. 34—Mobile

Ann Bedsole P. O. Box 16642, Mobile 36616

District No. 35—Mobile

William J. (Bill) Menton Rt. 2, Box 171
Irvington 36544

**STANDING COMMITTEES
OF THE
ALABAMA STATE SENATE
1985**

**FINANCE AND TAXATION
EDUCATION SUB-COMMITTEE**

Mitchem, Chairperson; Little, Deputy Chairperson; deGraffenried, Vice Chairperson; Aldridge, Bailey, Cooley, Ellis, Foshee, Hilliard, Holmes, Langford, Smith (J), Strong.

**FINANCE AND TAXATION
GENERAL FUND SUB-COMMITTEE**

Mitchem, Chairperson; Little, Deputy Chairperson; Goodwin, Vice Chairperson; Amari, Barron, Bedford, Bennett, Corbett, Denton, Figures, Hand, Horn, Smith (B).

RULES

Bishop, Chairperson; Parsons, Vice Chairperson; Aldridge, Cooley, Denton, Figures, Foshee.

JUDICIARY

Hilliard, Chairperson; Ellis, Vice Chairperson; Aldridge, Amari, Bedford, Bennett, Cooley, deGraffenried, Langford, Little, Menton, Parsons, Sanders, Smith (J), Strong.

GOVERNMENTAL AFFAIRS

Langford, Chairperson; Bennett, Vice Chairperson; Bailey, Barron, Cooley, Corbett, Cabaniss, Dixon, Drinkard, Ellis, Figures, Goodwin, Horn, Parsons, Sanders.

CONSTITUTIONAL REVISION

deGraffenried, Chairperson; Sanders, Vice Chairperson; Aldridge, Ellis, Figures, Smith (B), Smith (J).

AGRICULTURE, CONSERVATION AND FORESTRY

Bailey, Chairperson; Menton, Vice Chairperson; Aldridge, Bedford, Covington, Denton, Dial, Ellis, Figures, Goodwin, Hand, Little, Mitchem, Sanders, Smith (J).

BUSINESS AND LABOR RELATIONS

Corbett, Chairperson; Drinkard, Vice Chairperson; Bennett, Bedford, Cooley, Figures, Foshee, Parsons, Sanders.

EDUCATION

Parsons, Chairperson; Strong, Vice Chairperson; Bailey, Bedsole, Cooley, Corbett, Foshee, Hand, Hilliard.

HEALTH AND WELFARE

Aldridge, Chairperson; Barron, Vice Chairperson; Bailey, Bedsole, Covington, Dixon, Drinkard, Holmes, Smith (J).

BANKING AND INSURANCE

Smith (J), Chairperson; Bennett, Vice Chairperson; Amari, Barron, Cabaniss, deGraffenried, Denton, Drinkard, Foshee, Hilliard, Little, Mitchem, Sanders, Smith (B), Strong.

COMMERCE, TRANSPORTATION AND UTILITIES

Denton, Chairperson; Bedford, Vice Chairperson; Amari, Bishop, Covington, Foshee, Hilliard, Holmes, Smith (B).

CONSUMER AFFAIRS

Figures, Chairperson; Smith (J), Vice Chairperson; Bennett, Corbett, Parsons, Sanders, Strong.

BUILDINGS AND GROUNDS

Foshee, Chairperson; Covington, Vice Chairperson; Bishop.

INDUSTRIAL EXPANSION, ECONOMIC GROWTH AND JOBS

Smith (B), Chairperson; Covington, Vice Chairperson; Amari, Bailey, Cabaniss, Cooley, Dixon, Figures, Smith (J).

COMMITTEE ON AGING

Amari, Chairperson; Menton, Vice Chairperson; Bailey, Barron, Bennett, Corbett, Drinkard, Goodwin, Holmes.

STUDENT AND YOUTH ACTIVITIES

Bedford, Chairperson; Strong, Vice Chairperson; Bedsole, Dial, Dixon, Little, Menton.

SMALL BUSINESS

Holmes, Chairperson; Amari, Vice Chairperson; Bedford, Cabaniss, Dixon, Hand, Goodwin.

MILITARY AFFAIRS

Dial, Chairperson; Holmes, Vice Chairperson; Barron, Bedsole, Covington, Hand, Menton.

LOCAL LEGISLATION NO. 1

Foshee, Chairperson; Bedford, Vice Chairperson; Aldridge, Bishop, Covington, Dial, Hand.

LOCAL LEGISLATION NO. 2

Parsons, Chairperson; Bennett, Vice Chairperson; Amari, Cabaniss, Hilliard, Horn.

LOCAL LEGISLATION NO. 3

Figures, Chairperson; Menton, Vice Chairperson; Bedsole, Hand.

COMMITTEE ASSIGNMENTS FOR 1985
ALABAMA STATE SENATE

3rd District

GARY ALDRIDGE—Chairperson, Health and Welfare; Finance and Taxation Education Sub-Committee; Rules; Judiciary; Constitutional Revision; Agriculture, Conservation and Forestry; Local Legislation No. 1.

15th District

JOHN AMARI—Chairperson, Committee on Aging; Vice Chairperson, Small Business; Finance and Taxation General Fund Sub-Committee; Judiciary; Banking and Insurance; Commerce, Transportation and Utilities; Industrial Expansion, Economic Growth and Jobs; Local Legislation No. 2.

29th District

CHIP BAILEY—Chairperson, Agriculture, Conservation and Forestry; Finance and Taxation Education Sub-Committee; Governmental Affairs; Education; Health and Welfare; Industrial Expansion, Economic Growth and Jobs; Committee on Aging.

8th District

LOWELL BARRON—Vice Chairperson, Health and Welfare; Finance and Taxation General Fund Sub-Committee; Governmental Affairs; Banking and Insurance; Committee on Aging; Military Affairs.

6th District

ROGER BEDFORD, JR.—Chairperson, Student and Youth Activities; Vice Chairperson, Commerce, Transportation and Utilities; Vice-Chairperson, Local Legislation No. 1; Finance and Taxation General Fund Sub-Committee; Judiciary; Agriculture, Conservation and Forestry; Business and Labor Relations; Small Business.

34th District

ANN BEDSOLE—Education; Student and Youth Activities; Military Affairs; Local Legislation No. 3; Health and Welfare.

19th District

JIM BENNETT—Vice Chairperson, Governmental Affairs; Vice Chairperson, Banking and Insurance; Vice Chairperson, Local Legislation No. 2; Finance and Taxation General Fund Sub-Committee; Judiciary; Business and Labor Relations; Consumer Affairs; Committee on Aging.

5th District

CHARLES BISHOP—Chairperson, Rules; Commerce, Transportation and Utilities; Buildings and Grounds; Local Legislation No. 1.

16th District

WILLIAM J. CABANISS, JR.—Banking and Insurance; Governmental Affairs; Industrial Expansion, Economic Growth and Jobs; Small Business; Local Legislation No. 2.

4th District

STEVE COOLEY—Finance and Taxation Education Sub-Committee; Rules; Judiciary; Governmental Affairs; Business and Labor Relations; Education; Industrial Expansion, Economic Growth and Jobs.

28th District

DANNY CORBETT—Chairperson, Business and Labor Relations; Finance and Taxation General Fund Sub-Committee; Governmental Affairs; Education; Consumer Affairs; Committee on Aging.

30th District

J. FOY COVINGTON, JR.—Vice Chairperson, Buildings and Grounds; Vice Chairperson, Industrial Expansion, Economic Growth and Jobs; Commerce, Transportation and Utilities; Agriculture, Conservation and Forestry; Health and Welfare; Military Affairs; Local Legislation No. 1.

21st District

RYAN deGRAFFENRIED, JR.—Chairperson, Constitutional Revision; Vice Chairperson, Finance and Taxation Education Sub-Committee; Judiciary; Banking and Insurance.

1st District

BOBBY DENTON—Chairperson, Commerce, Transportation and Utilities; Finance and Taxation General Fund Sub-Committee; Rules; Agriculture, Conservation and Forestry; Banking and Insurance.

13th District

GERALD DIAL—Chairperson, Military Affairs; Agriculture, Conservation and Forestry; Student and Youth Activities; Local Legislation No. 1.

25th District

LARRY DIXON—Health and Welfare; Student and Youth Activities; Small Business; Governmental Affairs; Industrial Expansion, Economic Growth and Jobs.

10th District

BILL DRINKARD—Vice Chairperson, Business and Labor Relations; Governmental Affairs; Health and Welfare; Banking and Insurance; Committee on Aging.

14th District

FRANK (BUTCH) ELLIS, JR.—Vice Chairperson, Judiciary; Finance and Taxation Education Sub-Committee; Governmental Affairs; Constitutional Revision; Agriculture, Conservation and Forestry.

33rd District

MICHAEL A. FIGURES—Chairperson, Consumer Affairs; Chairperson, Local Legislation No. 3; Finance and Taxation General Fund Sub-Committee; Rules; Governmental Affairs; Constitutional Revision; Agriculture, Conservation and Forestry; Business and Labor Relations; Industrial Expansion, Economic Growth and Jobs.

31st District

E. C. (CRUM) FOSHEE—Chairperson, Buildings and Grounds; Chairperson, Local Legislation No. 1; Finance and Taxation Education Sub-Committee; Rules; Business and Labor Relations; Education; Banking and Insurance; Commerce, Transportation and Utilities.

24th District

EARL GOODWIN—Vice Chairperson, Finance and Taxation General Fund Sub-Committee; Governmental Affairs; Agriculture, Conservation and Forestry; Committee on Aging; Small Business.

32nd District

PERRY HAND—Finance and Taxation General Fund Sub-Committee; Agriculture, Conservation and Forestry; Education; Small Business; Military Affairs; Local Legislation No. 1; Local Legislation No. 3.

20th District

EARL HILLIARD—Chairperson, Judiciary; Finance and Taxation Education Sub-Committee; Education; Banking and Insurance; Commerce, Transportation and Utilities; Local Legislation No. 2.

12th District

DONALD HOLMES—Chairperson, Small Business; Vice Chairperson, Military Affairs; Finance and Taxation Education Sub-Committee; Health and Welfare; Commerce, Transportation and Utilities; Committee on Aging.

18th District

FRED HORN—Finance and Taxation General Fund Sub-Committee; Governmental Affairs; Local Legislation No. 2.

26th District

CHARLES D. LANGFORD—Chairperson, Governmental Affairs; Finance and Taxation Education Sub-Committee; Judiciary.

27th District

T. D. (TED) LITTLE—Deputy Chairperson, Finance and Taxation; Agriculture, Conservation and Forestry; Judiciary; Banking and Insurance; Student and Youth Activities.

35th District

BILL MENTON—Vice Chairperson, Agriculture, Conservation and Forestry; Vice-Chairperson, Committee on Aging; Vice-Chairperson, Local Legislation No. 3; Judiciary; Student and Youth Activities; Military Affairs.

9th District

HINTON MITCHEM—Chairperson, Finance and Taxation; Agriculture, Conservation and Forestry; Banking and Insurance.

17th District

MAC PARSONS—Chairperson, Education; Chairperson, Local Legislation No. 2; Vice Chairperson, Rules; Judiciary; Governmental Affairs; Business and Labor Relations; Consumer Affairs.

23rd District

HANK SANDERS—Vice Chairperson, Constitutional Revision; Judiciary; Governmental Affairs; Agriculture, Conservation and Forestry; Business and Labor Relations; Banking and Insurance; Consumer Affairs.

7th District

BILL G. SMITH—Chairperson, Industrial Expansion, Economic Growth and Jobs; Finance and Taxation General Fund Sub-Committee; Constitutional Revision; Banking and Insurance; Commerce, Transportation and Utilities.

2nd District

JIM SMITH—Chairperson, Banking and Insurance; Vice Chairperson, Consumer Affairs; Finance and Taxation Education Sub-Committee; Judiciary; Constitutional Revision; Agriculture, Conservation and

Forestry; Health and Welfare; Industrial Expansion, Economic Growth and Jobs.

22nd District

FRANCES (SISTER) STRONG—Vice Chairperson, Education; Vice Chairperson, Student and Youth Activities; Finance and Taxation Education Sub-Committee; Judiciary; Banking and Insurance; Consumer Affairs.

11th District

JOHN TEAGUE—President Pro Tempore.

**HOUSE OF REPRESENTATIVES
ALPHABETICAL ROSTER AND
DISTRICT NUMBER**

Charles Adams, 83	Ron G. Johnson, 33
Robert E. Albright, 21	Roy Johnson, 63
Spencer Bachus, 46	Bobby M. Junkins, 30
John P. Beasley, 85	Yvonne Kennedy, 103
Greg Beers, 48	Ken Kvalheim, 101
Jack Biddle, III, 43	Richard Laird, 37
Lucius Black, Sr., 67	Jack B. Lauderdale, 17
A. J. Blake, 42	Richard J. Lindsey, 39
Harrell Blakeney, 66	Bobbie G. McDowell, 56
Hugh Boles, 50	Bob McKee, 74
W. C. "Bill" Bowling, 12	Stephen A. McMillan, 95
Mike Box, 96	Chris McNair, 57
Carl C. Brakefield, 14	Beth Marietta, 104
Charlie Britnell, 18	Charles B. Martin, 8
Morris J. "Mo" Brooks, Jr., 10	Nathan Mathis, 87
Glen Browder, 34	Bryant Melton, Jr., 61
Jenkins Bryant, Jr., 68	Mike Mikell, 76
June Bugg, 29	Earl Mitchell, 15
Ralph Burke, 24	Sonny Moore, 41
James E. Buskey, 99	Max Newman, 16
John L. Buskey, 77	Tom Nicholson, 13
Tom Butler, 6	Demetrius C. Newton, 53
James M. Campbell, 36	Michael Onderdonk, 65
Joe Carothers, Jr., 86	Paul Parker, 9
Tommy Carter, 5	Arthur Payne, 44
Denzel L. Clark, 4	Walter E. Penry, 94
James S. Clark, 84	George Perdue, 54
William Clark, 98	Phil Poole, 62
Tom Coburn, 2	Jack Pratt, 49
Loyd Coleman, 25	Jim Preuitt, 32
W. F. "Noopie" Cosby, Jr., 70	T. Euclid Rains, Sr., 26
Bobby C. Crow, 35	Thomas Reed, 82
Pat Davis, 58	John Rice, 80
Tom Drake, 11	Ben T. Richardson, 23
Roger D. Dutton, 7	John W. Rogers, 52
Sundra E. Escott, 60	James G. Sasser, 88
Dwight Faulk, 90	George G. Seibels, Jr., 47
Steve Flowers, 89	Curtis Smith, 72
Joe Ford, 28	Lewis G. Spratt, 59
Bill Fuller, 38	Nelson R. Starkey, Jr., 1
Victor Gaston, 100	John Starr, Jr., 75
J. W. "Joe" Goodwin, 3	John F. Tanner, 40
Billy Gray, 45	James Louis Thomas, 69
George Grayson, 19	Hoyt W. Trammell, 51
E. A. Grouby, Jr., 71	J. E. Turner, 102
Albert Hall, 22	Pete Turnham, 79
Seth Hammett, 92	Jack B. Venable, 31
Taylor Harper, 105	J. E. "Jimmy" Warren, 64
Bob Harvey, 27	Frank P. White, 93
Steve Hettinger, 20	Gary White, 55
Jimmy W. Holley, 91	Lester White, 81
Alvin Holmes, 78	Mary S. Zoghby, 97
Perry O. Hooper, Jr., 73	

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

1985

REGULAR SESSION

OFFICERS

TOM DRAKE, *Speaker*, Cullman

ROY JOHNSON

Speaker Pro-Tem, Tuscaloosa

JOHN W. PEMBERTON, *Clerk*, Montgomery

GREGG PAPPAS, *Administrative Assistant to the Clerk*

VANNAH W. SEXTON, *Chief Clerk*

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE	Nelson R. Starkey, Jr.	301 N. Pine St., Florence 35630
2	COLBERT	Tom Coburn	1107 East 3rd St., Tuscumbia 35674
3	COLBERT, LAUDERDALE	J. W. (Joe) Goodwin	310 Ford Road, Muscle Shoals 35661
4	LAUDERDALE, LIMESTONE	Denzel L. Clark	Route 2, Box 91, Killen 35645
5	LIMESTONE	Tommy Carter	Route 2, Box 72, Elkmont 35620
6	MADISON	Tom Butler	1803 Forney Drive, Huntsville 35805
7	LAWRENCE, MORGAN	Roger D. Dutton	R.R. No. 2, Trinity 35673
8	MORGAN	Charles B. Martin	P. O. Box 2538, Decatur 35602
9	MORGAN	Paul Parker	303 North Douglas St., Hartselle 35640
10	MADISON	Morris J. "Mo" Brooks, Jr.	9009 Randall Road, Huntsville 35802
11	CULLMAN, MORGAN	Tom Drake	P. O. Box 1165, Cullman 35055

- 12 CULLMAN
Bill Bowling Route 2, Box 349, Hanceville 35077
- 13 WALKER
Tom Nicholson P. O. Box 248, Jasper 35501
- 14 TUSCALOOSA, WALKER
Carl C. Brakefield P. O. Box G, Carbon Hill 35549
- 15 PICKENS, TUSCALOOSA
Earl Mitchell P. O. Box 426, Northport 35476
- 16 FAYETTE, LAMAR, MARION
Max Newman P. O. Box 428, Millport 35576
- 17 MARION, WINSTON
Jack B. Lauderdale Route 1, Box 238, Hamilton 35570
- 18 FRANKLIN, MARION
Charlie Britnell Route 2, Box 376, Russellville 35653
- 19 MADISON
George Grayson P. O. Box 38, Normal 35762
- 20 MADISON
Steve Hettinger 100 Calhoun St., Huntsville 35801
- 21 MADISON
Robert E. Albright 2024 Stanhope Dr., Huntsville 35811
- 22 JACKSON, MADISON
Albert Hall P. O. Box 275, Gurley 35748
- 23 JACKSON
Ben T. Richardson P. O. Box 1017, Scottsboro 35768
- 24 DEKALB
Ralph Burke P. O. Box 876, Fort Payne 35967
- 25 MARSHALL
Loyd Coleman P. O. Box 67, Arab 35016
- 26 DEKALB, MARSHALL
T. Euclid Rains, Sr. Rt. 1, Box 326, Albertville 35950
- 27 BLOUNT
Bob Harvey Route 4, Box 708, Oneonta 35121
- 28 ETOWAH
Joe Ford Gadsden State Junior College
George Wallace Dr., Gadsden 35901
- 29 ETOWAH
June Bugg 610 South 5th St., Gadsden 35901
- 30 ETOWAH, ST. CLAIR
Bobby M. Junkins 254 College St., Gadsden 35901
- 31 COOSA, ELMORE
Jack B. Venable P. O. Box 736, Tallassee 36078
- 32 TALLADEGA
Jim Preuitt P. O. Box 1063, Talladega 35160

- 33 TALLADEGA
Ron G. Johnson Route 5, Box 17, Sylacauga 35150
- 34 CALHOUN
Glen Browder Route 2, Box 316, Jacksonville 36265
- 35 CALHOUN
Bobby C. Crow Route 10, Box 842, Anniston 36201
- 36 CALHOUN
James M. Campbell P. O. Box 2003, Anniston 36302
- 37 CHAMBERS, RANDOLPH, CLAY
Richard Laird 46 Randolph Plaza, Roanoke 36274
- 38 CHAMBERS
Bill Fuller 118 South LaFayette St., LaFayette 36062
- 39 CHEROKEE, CLEBURNE, DEKALB
Richard J. Lindsey Route 2, Box 394, Centre 35960
- 40 BIBB, SHELBY
John F. Tanner P. O. Box 37, Pelham 35214
- 41 SHELBY
Sonny Moore P. O. Box 44, Sterrett 35147
- 42 ST. CLAIR
A. J. Blake Route 1, Box 206A, Pell City 35125
- 43 JEFFERSON
Jack Biddle, III 2256 Pinehurst Dr., Gardendale 35071
- 44 JEFFERSON
Arthur Payne 2825 2nd Street, N.W., Birmingham 35215
- 45 JEFFERSON
Billy Gray 704 Lance Blvd., Birmingham 35206
- 46 JEFFERSON
Spencer Bachus 1122 22nd St., North, Birmingham 35234
- 47 JEFFERSON
George G. Seibels, Jr. 4016 10th Avenue South
Birmingham 35222
- 48 JEFFERSON
Greg Beers 1504 Verdure Circle, Birmingham 35266
- 49 JEFFERSON
Jack Pratt 5424 Wesley Drive, Midfield 35228
- 50 JEFFERSON
Hugh Boles 1036 Normandale Circle, Hueytown 35020
- 51 JEFFERSON
Hoyt W. Trammell Route 15, Box 247, Birmingham 35224
- 52 JEFFERSON
John W. Rogers 1424 18th St., S.W., Birmingham 35211
- 53 JEFFERSON
Demetrius C. Newton P. O. Box 2525, Birmingham 35202

- 54 JEFFERSON
George Perdue P. O. Box 2473, Birmingham 35201
- 55 JEFFERSON
Gary White 2826 S. 18th St., Homewood 35209
- 56 JEFFERSON
Bobbie G. McDowell 2322 Dartmouth, Bessemer 35020
- 57 JEFFERSON
Chris McNair Route 4, Box 388, Bessemer 35020
- 58 JEFFERSON
Pat Davis 9312 Sears Drive, Birmingham 35206
- 59 JEFFERSON
Lewis G. Spratt 3809 4th St. W., Birmingham 35207
- 60 JEFFERSON
Sundra E. Escott P. O. Box 8172, Birmingham 35218
- 61 TUSCALOOSA
Bryant Melton, Jr. 4129 20th Street, Tuscaloosa 35401
- 62 TUSCALOOSA
Phil Poole P. O. Box 609, Moundville 35474
- 63 TUSCALOOSA
Roy Johnson Route 4, Box 140, Tuscaloosa 35405
- 64 CONECUH, MONROE
J. E. (Jimmy) Warren P. O. Box 207, Castleberry 36432
- 65 CLARKE, WASHINGTON
Michael Onderdonk P. O. Box 130, Chatom 36518
- 66 CHOCTAW, CLARKE, MARENGO
Harrell Blakeney 1101 Old Hwy. 5, So., Thomasville 36784
- 67 CHOCTAW, GREENE, SUMTER
Lucius Black P. O. Box 284, York 36925
- 68 DALLAS, PERRY, HALE
Jenkins Bryant, Jr. Route 1, Box 126, Newbern 36765
- 69 DALLAS, LOWNDES, WILCOX
James Louis Thomas Route 2, Box 509, Hayneville 36040
- 70 DALLAS
W. F. "Noopie" Cosby, Jr. Dallas County Court House,
Selma 36701
- 71 AUTAUGA, CHILTON
Ed Grouby P. O. Box 188, Prattville 36067
- 72 BIBB, CHILTON
Curtis Smith P. O. Box 69, Clanton 35045
- 73 MONTGOMERY
Perry O. Hooper, Jr. 509 S. Court St., Montgomery 36104
- 74 MONTGOMERY
Bob McKee P. O. Box 424, Montgomery 36101

- 75 MONTGOMERY
John Starr, Jr. 2761 Forsyth Lane, Montgomery 36116
- 76 ELMORE, MONTGOMERY
Mike Mikell P. O. Box 993, Millbrook 36054
- 77 MONTGOMERY
John L. Buskey P. O. Box 6216, Montgomery 36106
- 78 MONTGOMERY
Alvin Holmes P. O. Box 6064, Montgomery 36106
- 79 LEE
Pete Turnham Box 1592, Auburn 36830
- 80 LEE
John Rice P. O. Box 2432, Opelika 36801
- 81 TALLAPOOSA
Lester White 739 Freeman Street, Dadeville 36853
- 82 BULLOCK, MACON
Thomas Reed P. O. Drawer EE, Tuskegee Institute 36088
- 83 RUSSELL
Charles Adams P. O. Box 967, Phenix City 36867
- 84 BARBOUR, RUSSELL
James S. (Jimmy) Clark P. O. Box 71, Eufaula 36027
- 85 HENRY, HOUSTON
John P. Beasley P. O. Drawer M, Columbia 36319
- 86 HOUSTON
Joe Carothers, Jr. Route 8, Box 33, Dothan 36301
- 87 GENEVA, HOUSTON
Nathan Mathis Route 1, Newton 36352
- 88 DALE
James G. Sasser P. O. Box 1279, Ozark 36361
- 89 PIKE, DALE
Steve Flowers P. O. Box 973, Troy 36081
- 90 BUTLER, CRENSHAW
Dwight Faulk Route 2, Box 90, Honoraville 36042
- 91 COFFEE
Jimmy W. Holley Route 3, Box 191E, Elba 36323
- 92 COVINGTON
Seth Hammett P. O. Drawer 1607, Andalusia 36420
- 93 ESCAMBIA
Frank P. "Skippy" White Rt. 1, Box 193-Pollard
Flomaton 36441
- 94 BALDWIN
Walter E. Penry, Jr. Rt. 2, Box 286, Daphne 36526
- 95 BALDWIN
Steve McMillan Box 337, Bay Minette 36507

- 96 MOBILE
Mike Box P. O. Box 216, Saraland 36571
- 97 MOBILE
Mary S. Zoghby 2862 Hilburn Drive, Mobile 36606
- 98 MOBILE
William "Bill" Clark 711 Atmore Ave., Prichard 36612
- 99 MOBILE
James E. Buskey 2207 Barretts Lane, Mobile 36617
- 100 MOBILE
Victor Gaston 864 West Parkwood Drive, Mobile 36608
- 101 MOBILE
Ken Kvalheim 421 Dogwood Drive, Mobile 36609
- 102 MOBILE
J. E. Turner P. O. Box 777, Citronelle 36522
- 103 MOBILE
Yvonne Kennedy 1205 Glennon Avenue, Mobile 36603
- 104 MOBILE
Beth Marietta 204 S. Cedar Street, Mobile 36602
- 105 MOBILE
Taylor Harper P. O. Box 229, Grand Bay 36541

**STANDING COMMITTEES
HOUSE OF REPRESENTATIVES
OF ALABAMA 1985**

RULES

Clark (J), Chairman; Clark (W), Vice-Chairman; Boles, Carothers, Coleman, Davis, Dutton, Goodwin, Hall, Harvey, Johnson (Roy), Preuitt, Reed, Starr, Warren.

WAYS & MEANS

Coburn, Chairman; Holley, Vice-Chairman; Albright, Bowling, Brakefield, Browder, Holmes, Junkins, Kennedy, Mitchell, Moore, Rogers, Trammell, Turner, Turnham.

JUDICIARY

Campbell, Chairman; Onderdonk, Vice-Chairman; Bachus, Box, Britnell, Brooks, Buskey (James), Fuller, Kvalheim, Laird, Marietta, Mathis, Nicholson, Poole, Tanner.

STATE ADMINISTRATION

Blake, Chairman; White (F), Vice-Chairman; Biddle, Britnell, Coleman, Crow, Davis, Lauderdale, Mathis, Newton, Parker, Pratt, Smith, Thomas, Warren.

BUSINESS AND LABOR

Crow, Chairman; Melton, Vice-Chairman; Albright, Bachus, Beers, Blake, Boles, Bugg, Buskey (James), Buskey (John), Ford, Hooper, Moore, Pratt, Trammell.

HEALTH

Biddle, Chairman; Carothers, Vice-Chairman; Beasley, Clark (J), Butler, Flowers, Johnson (RG), McDowell, Mikell, Pratt, Sasser, Seibels, Starkey, Turner, White (L).

BANKING

Zoghby, Chairman; Harvey, Vice-Chairman; Beasley, Campbell, Cosby, Escott, Ford, Harper, Hettinger, Holley, Kvalheim, Martin, Nicholson, Penry, Venable.

INSURANCE

Cosby, Chairman; Flowers, Vice-Chairman; Brakefield, Burke, Carter, McKee, Martin, Poole, Rice, Richardson, Sasser, Seibels, Smith, Spratt, White (L).

EDUCATION

Grayson, Chairman; Turnham, Vice-Chairman; Bachus, Boles, Britnell, Bugg, Coleman, Laird, Lauderdale, McDowell, McNair, Melton, Newman, Parker, White (G).

AGRICULTURE & FORESTRY

Smith, Chairman; Richardson, Vice-Chairman; Blakeney, Bowling, Butler, Dutton, Faulk, Hall, Lindsey, Mathis, Newton, Penry, Preuitt, Rains, White (F).

NATURAL RESOURCES

Carter, Chairman; Faulk, Vice-Chairman; Britnell, Clark (W), Crow, Gaston, Grouby, Harper, Lauderdale, McMillan, McNair, Marietta, Onderdonk, Parker, Penry.

PUBLIC WELFARE

Reed, Chairman; Kvalheim, Vice-Chairman; Beers, Black, Brooks, Butler, Gray, Hammett, McNair, Newton, Payne, Rains, Richardson, Starkey, White (L).

CONSTITUTIONS AND ELECTIONS

Thomas, Chairman; Venable, Vice-Chairman; Adams, Beers, Black, Blakeney, Box, Buskey (John), Clark (D), Gaston, Grouby, Hooper, Kvalheim, McNair, Starkey.

PUBLIC UTILITIES & TRANSPORTATION

Goodwin, Chairman; Sasser, Vice-Chairman; Bryant, Burke, Gray, Junkins, Lindsey, McKee, Mitchell, Newman, Nicholson, Payne, Preuitt, Starr, White (G).

COMMERCE AND INDUSTRIAL DEVELOPMENT

Adams, Chairman; Kennedy, Vice-Chairman; Buskey (James), Carter, Clark (D), Cosby, Harvey, Hettinger, McKee, Parker, Penry, Perdue, Rice, Tanner, Venable.

LOCAL GOVERNMENT

Martin, Chairman; Escott, Vice-Chairman; Adams, Browder, Fuller, Gaston, Gray, Grayson, Johnson (RG), Perdue, Seibels, Spratt, Starkey, Venable, White (L).

MILITARY AFFAIRS

Ford, Chairman; Newman, Vice-Chairman; Brooks, Bryant, Escott, Grouby, Hammett, Johnson (RG), Lindsey, Melton, Newton, Payne, Perdue, Sasser, Starkey.

HIGHWAY SAFETY

Holmes, Chairman; Tanner, Vice-Chairman; Box, Faulk, Flowers, Fuller, Harper, Hettinger, McMillan, Marietta, Poole, Rogers, Spratt, White (F), Zoghby.

SMALL BUSINESS

Laird, Chairman; Mathis, Vice-Chairman; Blakeney, Butler, Fuller, Gray, Hammett, Lindsey, McDowell, McMillan, Mikell, Payne, Starr, Tanner, White (G).

LOCAL LEGISLATION NO. 1

Rains, Chairman; Bryant, Vice-Chairman; Black, Blakeney, Browder, Bugg, Burke, Clark (D), Ford, Fuller, Lindsey, McMillan, Rice, Thomas, Venable.

LOCAL LEGISLATION NO. 2

(Jefferson)

Boles, Chairman; Bachus, Vice-Chairman; Beers, Biddle, Davis, Escott, Gray, McDowell, McNair, Newton, Payne, Perdue, Pratt, Rogers, Seibels, Spratt, Trammell, White (G).

LOCAL LEGISLATION NO. 3

(Mobile)

Turner, Chairman; Buskey (James), Vice-Chairman; Box, Clark (W), Gaston, Harper, Kennedy, Kvalheim, Marietta, Zoghby.

LOCAL LEGISLATION NO. 4 (Madison & Montgomery)

(Madison)

Albright, Chairman; _____, Vice-Chairman; Brooks, Butler, Grayson, Hall, Hettinger.

(Montgomery)

McKee, Chairman; Starr, Vice-Chairman; Buskey (John), Holmes, Hooper, Mikell.

LEGISLATIVE DAYS
REGULAR SESSION 1985

<i>Legislative Days—Calendar Days</i>	<i>Page</i>
FIRST DAY—Tuesday, February 5, 1985	3
SECOND DAY—Thursday, February 7, 1985	55
THIRD DAY—Tuesday, February 12, 1985	75
FOURTH DAY—Thursday, February 14, 1985	96
FIFTH DAY—Wednesday, February 20, 1985	129
SIXTH DAY—Thursday, February 21, 1985	160
SEVENTH DAY—Tuesday, February 26, 1985	202
EIGHTH DAY—Thursday, February 28, 1985	227
NINTH DAY—Tuesday, March 5, 1985	246
TENTH DAY—Thursday, March 7, 1985	283
ELEVENTH DAY—Tuesday, March 19, 1985	310
TWELFTH DAY—Thursday, March 21, 1985	343
THIRTEENTH DAY—Tuesday, March 26, 1985	371
FOURTEENTH DAY—Thursday, March 27, 1985	384
FIFTEENTH DAY—Tuesday, April 2, 1985	449
SIXTEENTH DAY—Thursday, April 4, 1985	539
SEVENTEENTH DAY—Tuesday, April 9, 1985	595
EIGHTEENTH DAY—Thursday, April 11, 1985	627
NINETEENTH DAY—Tuesday, April 16, 1985	671
TWENTIETH DAY—Thursday, April 18, 1985	710
TWENTY-FIRST DAY—Tuesday, April 23, 1985	780
TWENTY-SECOND DAY—Wednesday, April 24, 1985	862
TWENTY-THIRD DAY—Thursday, April 25, 1985	948
TWENTY-FOURTH DAY—Tuesday, April 30, 1985	1078
TWENTY-FIFTH DAY—Wednesday, May 1, 1985	1251
TWENTY-SIXTH DAY—Thursday, May 2, 1985	1358
TWENTY-SEVENTH DAY—Tuesday, May 7, 1985	1422
TWENTY-EIGHTH DAY—Wednesday, May 8, 1985	1443
TWENTY-NINTH DAY—Thursday, May 9, 1985	1528
THIRTIETH DAY—Monday, May 20, 1985	1817

REGULAR SESSION 1985**TOPIC INDEX****ABORTION CLINIC**

Abortion and reproductive health centers, certificate of need required—
SB 182, page 47

ABORTIONS

Minors, performed on, parental notification required—
SB 393, page 163

ABSENTEE VOTING

Ballots, additional time for applying for, receiving and returning—
SB 644, pages 629, 722, 799

Procedures for curbing certain abuses—
SB 314, page 97

ACTS AMENDED, GENERAL ACTS

Act no. 80-382 and 80-529, alcoholic beverage transactions, further
provided for—
SB 279, pages 88, 172, 304, 362

Act no. 82-125, corrections institution finance authority, sale of bonds
regulated, term—
HB 450, pages 264, 326, 429, 945, 955, 1370, 1424, 1522, 1802, 1849

Act no. 83-69, corrections department, commissioner, appointment from
merit system—
SB 452, pages 286, 326, 369

Act no. 83-426, state docks, conveyances to local port authorities in
Cordova and Florence—
SB 27, pages 9, 402
HB 72, pages 198, 632, 1886, 1899, 1901, 1918, Act no. 85-646

Act no. 84-131, class 1 municipalities, horse racing revenues provided
for—
HB 740, page 792

Act no. 84-288, national guard, additional educational benefits—
HB 276, pages 1417, 1746, 1761

Act no. 84-446, game and fish, county license fees for nonresident fishing
licenses increased, distributed—
SB 8, pages 6, 71, 220, 240, 749, 756, 761

Act no. 84-816, missionaries, tax exempt—
SB 75, pages 17, 326, 430, 934

ACTS REPEALED, GENERAL ACTS

Act no. 81-562, state land resources information center, established within lands division of department of conservation—
HB 273, pages 494, 725, 896

Act no. 84-227, registration of out-of-state contractors—
SB 213, pages 54, 237, 369

Act no. 84-240, motor vehicles, license plates regulated, fee increase—
SB 217, pages 59, 387

AD VALOREM TAX

Homestead exemption for elderly, further provided—
SB 245, pages 64, 236, 305, 935
HB 514, pages 1415, 1698, 1761

On property acquired by tax exempt body through eminent domain, regulated—
SB 343, pages 102, 727

Procedures for giving notice to former owner on redemption sales for delinquent taxes—
SB 15, pages 7, 80, 151, 213, 262, 323, 337, 344
SB 403, pages 165, 400, 591

Revenue department, authorized to pay certain qualified appraisers, mappers and tax administrators—
SB 504, pages 294, 404, 1280

ADMINISTRATIVE OFFICE OF COURTS

Probation officers, juvenile, placed under—
SB 244, pages 63, 550, 631, 940

ADMINISTRATIVE PROCEDURE

Administrative procedure act, altered—
HB 116, pages 693, 880

Pharmacy, state board of, judicial review of order of board, governed by—
HB 196, pages 1415, 1758, 1765

ADOPTION

Foster parent applicants, department of pensions and security authorized to conduct criminal history investigations—
SB 538, pages 347, 554, 598, 708
HB 940, pages 1241, 1516, 1666, 1668, 1668, 1782, 1799, Act no. 85-537

ADVERTISING

Dentists, advertising regulated—
SB 34, pages 10, 300, 369

Highways, advertising on state right-of-way, regulated—
SB 234, pages 61, 415, 481, 944

Newspapers, charge for legal notice—
HB 304, pages 1365, 1746, 1761, 1922, 1923, 1924, 1925, 1927, 1949

AERONAUTICS DEPARTMENT

Airports, landing fee on aircraft that do not offer discounts on flights originating in Alabama, authorized—
SB 645, page 630

AFRICAN DEVELOPMENT BANK

Executors and fiduciaries authorized to invest in—
SB 290, page 90
SB 291, pages 91, 149, 179, 939, 1329
SB 430, pages 229, 326, 430, 933

AFRICAN SWINE FEVER

Eradication and control of swine diseases, appropriation to department of agriculture and industries, indemnify owners of swine ordered destroyed—
SB 164, pages 44, 397, 599
HB 183, pages 1413, 1759, 1769

AFRICATOWN, U.S.A.

Historical preservation, establishment of "Africatown, U.S.A. national park", in city of Prichard—
SB 638, pages 628, 721, 802, 944, 1322, 1360

AGED

Health care recipient ombudsman act created, long-term care ombudsman and Alabama commission on aging authorized to investigate and certify community ombudsman—
SB 31, page 9
SB 66, pages 16, 237, 259, 708, 803, 821, 822, 826, 889, 1942, 1954, 1959, Act no. 85-657

Home health care and hospice services, state board of health to license—
SB 78, page 18

Homestead exemption for elderly, provided further—
SB 245, pages 64, 236, 305, 935
HB 514, pages 1415, 1698, 1761

Housing finance authority, Alabama, legislative intent expressed, regarding senior citizens—
SB 139, pages 28, 177, 803, 1086
SB 566, pages 390, 870

Life care facilities, securities commission, regulated—
SB 391, pages 163, 295, 430, 765, 804, 888, 926

Voters, registration and polling places to be accessible to handicapped and elderly—
SB 89, pages 20, 70, 85, 128, 139, 180, 199, 203, 422, 538, Act no. 85-234

AGRICULTURE

Agricultural development authority, authorized to finance facilities for certain commodities—

SB 155, pages 43, 72, 78, 240, 263, 350, 416, 453, 513, 624, 637, 670, Act no. 85-313

Catfish, promotion of, assessment, provided—

SB 553, pages 372, 633, 818, 911, 1086

Catfish, promotion of, CA—

SB 567, pages 390, 633, 732

Corrections department, agricultural revolving fund, established—

SB 478, pages 290, 407, 591, 1114, 1426

Farm products, sale, buyer takes free of security interest, exception—

SB 351, pages 103, 960

SB 510, pages 314, 407

Machinery, lease or rental, tax rate altered—

SB 611, page 557

Nonresident aliens engaged in farming, reports to commissioner of agriculture and industries provided—

SB 119, pages 24, 71

Products, buyer in ordinary course of business, provided further—

SB 351, pages 103, 960

SB 510, pages 314, 407

Supplemental appropriation from agriculture fund, reimburse fund expense in development of the farmer's market—

SB 584, pages 458, 549, 616, 749, 751, 777, 804, 888, 927, 1417, 1428, 1441 Act no. 85-636

Trucks, used by farmers, license tax and registration fee, exempt from 1984 tax increase and delinquent penalty—

SB 108, page 23

Wheat and feed grains, include corn, grain sorghum and oats, distribution, marketing, use and improvement and sale provided for, duties and power of commissioner and the department of agriculture and industries—

SB 44, pages 12, 71, 77, 214

HB 89, pages 467, 962, 1114, 1116, 1426, 1522, 1806, 1807, 1848, Act no. 85-701

Wheat and feed grains, promotion of production, distribution, marketing, use and improvement and sale provided for, CA—

SB 104, pages 22, 71, 77

HB 88, pages 467, 961, 1113, 1114, 1426, 1523, 1807, 1808, 1849, Act no. 85-575

AIR POLLUTION

Environmental management department, further regulated—

SB 719, page 1083

HB 743, pages 1091, 1758, 1766, 1770, 1924, 1941

AIRCRAFTS, AGRICULTURAL

Permitted to land and take off on lightly traveled local highways, director of highway department to grant permission—
HB 618, pages 1420, 1759, 1768

AIRPORTS

Landing fee on aircraft that do not offer discounts on flights originating in Alabama, authorized—
SB 645, page 630

ALABAMA A & M UNIVERSITY

Black archives, research center and museum, authority to receive an appropriation—
HB 78, pages 957, 1698, 1760

Board of trustees, meetings, quorum altered—
HB 521, pages 699, 1759, 1769

Boards of trustees at certain state colleges, additional members—
SB 137, page 27

ALABAMA ADVISORY COUNCIL ON CHILDREN/YOUTH

Established, duties, appropriations—
SB 580, pages 392, 679
SB 589, pages 459, 679
HB 1020, page 1417

ALABAMA CIVIL WAR INSTITUTE

Established at Tannehill historical state park—
SB 369, pages 133, 407, 463

ALABAMA COMMISSION ON HIGHER EDUCATION

Appropriation to, for funding national guard scholarships—
SB 551, page 350

Colleges, authorized to publish teachers' salaries—
SB 223, pages 60, 634, 733, 856, 976, 1087

ALABAMA DEVELOPMENT OFFICE

Industrial site preparation grants, prohibited from restricting—
SB 179, page 47

ALABAMA FILM COMMISSION

Employees eligible to be members of state employees' health insurance and retirement plans, retroactive date—
SB 338, pages 101, 297, 429, 770

ALABAMA FOUNDATION FOR TECHNICAL ADVANCEMENT

Established—
SB 515, pages 315, 415, 799, 939

ALABAMA HERITAGE TRUST FUND

Local government capital improvement fund established, contingent upon ratification of—

SB 439, page 247

SB 505, pages 313, 397, 481

HB 649, pages 688, 724, 1837, 1837, 1841, 1843, 1845, 1847, 1849

ALABAMA HOUSING FINANCE AUTHORITY

Senior citizens, legislative intent expressed regarding—

SB 139, pages 28, 177, 803, 1086

SB 566, pages 390, 870

ALABAMA INDUSTRIAL DEVELOPMENT TRAINING INSTITUTE

Appropriations, certain, from special educational trust fund—

SB 513, page 315

ALABAMA INSTITUTE FOR DEAF AND BLIND

Educational employee, maximum number of accumulated sick leave days increased—

SB 193, pages 49, 634

Oil and gas excise tax, boards of education, youth services department, exempt—

SB 101, page 22

Required to adopt written educational policies—

SB 129, pages 26, 266, 424, 936

HB 516, page 1107

ALABAMA JAZZ MUSEUM AND INSTITUTE

Established—

SB 298, page 92

ALABAMA PUBLIC SCHOOL CORPORATION

Authorized, to borrow money on behalf of local school boards—

SB 587, pages 458, 634, 732, 776, 804, 888, 928

ALABAMA SAFE DAMS ACT

Penalties provided—

SB 32, page 10

ALABAMA SAFETY BELT USE ACT

Established, required of front seat occupants in passenger cars—

SB 592, pages 460, 552, 630

HB 476, pages 847, 964, 1170, 1925

ALABAMA STATE BOARD OF VETERINARY MEDICINE

Established, practice regulated—

SB 497, page 293

HB 877, page 1435

ALABAMA STATE EMPLOYEES ASSOCIATION

Full-time employees and executive officers of, and retired state employees' association, to participate in—

SB 165, pages 45, 403, 977

ALABAMA STATE UNIVERSITY

Boards of trustees at certain state colleges, additional members—

SB 137, page 27

ALABAMA TRADE COMMISSION

Name and membership altered—

SB 367, page 133

ALABAMA TRUST FUND

Additional members for board of trustees, CA—

SB 554, pages 372, 550, 616, 777, 1323, 1400

ALABAMA TRUST FUND FOR SCHOLARS

Established, appropriation from special educational trust fund—

SB 169, pages 45, 177

HB 115, pages 684, 1085, 1886, 1897, 1909, 1918, Act no. 85-759

ALABAMA TURKEY HUNTERS HALL OF FAME

Established—

SB 530, pages 346, 633, 930

HB 763, pages 1239, 1758, 1763, 1924

ALABAMA WOODLANDS PROTECTION ACT

Arson further defined—

HB 358, pages 514, 727

ALCOHOLIC BEVERAGES

Alcoholism, drug abuse, treatment of, minimum insurance provided—

SB 14, pages 7, 409, 468, 765, 804, 847, 920

Beer, maximum size of containers increased—

SB 490, page 292

Legal age to purchase, consume, possess, transport, increased, exemptions—

SB 226, page 60

HB 6, pages 198, 403, 484, 676, 676, 764, 803, 822, 852, 1405, 1406, 1801, 1911, 1940, Act no. 85-687

Licenses, post warning signs of danger of alcoholic beverages to pregnant women—

SB 303, pages 93, 178, 616, 749, 750, 751, 775

ALCOHOLIC BEVERAGES (Continued)

Licensing code, certain licenses may be renewed where dry county or dry municipality was wet when original license issued—

SB 286, pages 89, 172, 217, 262, 280, 323, 330, 1487, 1681, 1816,
Act no. 85-547

Motor vehicles, driving under influence, law enforcement officer authorized to administer blood test in cases of death or serious injury, authorized to use force—

SB 480, page 290

Motor vehicles, open containers of alcoholic beverage prohibited, penalties—

SB 274, pages 87, 402

Railroad companies, authorized to test employees for drug and alcohol abuse—

SB 525, pages 344, 881, 1116

Transportation of wine, further provided—

SB 279, pages 88, 172, 304, 362

ALIENS

Nonresident aliens engaged in farming, reports to commissioner of agriculture and industries provided—

SB 119, pages 24, 71

ALIMONY

Child support, court may order obligation or to post bond or give security to guarantee payment—

SB 482, pages 291, 552, 733

HB 685, pages 1440, 1762

Income tax, alimony defined, defer recognition of gain on transfers of property incident to divorce—

SB 152, pages 31, 81, 104, 197, 221, 222

AMUSEMENTS AND SPORTS

Amusement safety act established, operation of amusement rides and attractions, penalties—

SB 339, pages 101, 410, 456, 771, 804, 842, 889

Athletic events, certain ones exempt from gross receipts tax—

SB 418, pages 208, 266, 424, 749, 755

HB 524, pages 686, 1505

ANIMALS

Exotic bird business, regulated—

SB 416, pages 208, 633, 730, 771, 818, 1087, 1128, 1130

Humane officers authorized to take control of certain animals found neglected or mistreated—

SB 151, pages 31, 72, 77, 265, 350, 367, 804, 888, 924, 925, 926,
926

Seizure officer, authorized, civil remedies for protection of abused animals—

SB 617, pages 558, 962

ANNEXATION PROCEDURE

Municipalities, located in two counties, certain territory regulated—
SB 686, page 788

Municipalities, previous annexations validated—
SB 170, pages 45, 69, 78
SB 172, page 46

ANNUITIES

Insurance, clarify language and intent in certain variable life contracts—
SB 173, pages 46, 69, 77

APPROPRIATIONS

Archaeological excavation in southern Elmore county, to Auburn university—
SB 652, pages 711, 868, 959

Black archives, research center and museum at Alabama A&M university—
HB 78, pages 957, 1698, 1760

Budget management, state agencies and departments get approval from fiscal committee to change operations—
SB 135, pages 27, 123, 150

Child abuse and prevention board, staff, compensation, distribution of funds—
SB 334, pages 100, 679
SB 547, pages 349, 413, 598, 1340
HB 928, pages 1243, 1515, 1667, 1668, 1793, 1793, 1848, Act no. 85-698

Children and youth, advisory council on, established, duties, terms—
SB 580, pages 392, 679
SB 589, pages 459, 679
HB 1020, page 1417

Cleburne county, Dyrne creek watershed conservancy district,—
SB 561, page 389

Commissioners on uniform state laws, dollar limit removed—
SB 318, pages 97, 237, 263, 894, 1255, 1299, 1349

Conservation and natural resources department, supplemental, made from state lands funds for fiscal year beginning October 1, 1985—
SB 284, page 89
SB 433, page 229
SB 453, pages 286, 326, 369, 769, 804, 852, 1947, 1954, 1959, Act no. 85-651

Coosa valley development authority, appropriation for certain capital outlay purposes—
SB 191, pages 49, 68, 77, 128, 139, 180, 200, 684, 717, 778, Act no. 85-358

Corrections department, fund increased—
SB 468, pages 288, 550, 616

APPROPRIATIONS (Continued)

Counties, supplemental for expenses of state prisoners housed in county jails—

SB 214, pages 54, 148, 218

Damage caused by ice and snow in certain northern Alabama counties—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

Education budget—

SB 210, page 53

HB 331, pages 590, 796, 1014, 1014, 1077, 1130, 1132, 1172, 1233, 1235, 1236, 1247, 1248, 1265, 1271, 1406, 1406, Act no. 85-516

Electrical contractors, board of, established—

SB 629, pages 614, 679, 733, 810, 967, 1004, 1005

Eminent scholars, endowment fund established for, made from special educational trust fund—

SB 169, pages 45, 177

HB 115, pages 684, 1085, 1886, 1897, 1909, 1918, Act no. 85-759

Environmental protection superfund established, from interest on oil lease revenues—

SB 10, pages 6, 413, 613, 896, 946, 1256, 1263, 1369, 1423

Forestry commission, supplemental—

SB 19, page 8

HB 58, pages 493, 549, 732, 933, 1808, 1809, 1848, Act no. 85-700

HB 602, pages 507, 550, 732, 935, 1808, 1809, 1849, Act no. 85-696

General fund budget, for ordinary expenses of executive, legislative and judicial departments—

SB 207, page 53

HB 332, pages 1107, 1505, 1537, 1538, 1643, 1798, 1798, Act no. 85-539

Health department, supplemental, for purchase of certain vaccine—

SB 432, pages 229, 398, 616

Health planning and development agency, supplemental from general fund—

HB 948, pages 1437, 1698, 1764, 1922, 1923, 1924, 1926, 1927

Highway department, supplemental—

SB 555, pages 388, 549, 743, 1332, 1332, 1890, 1900, 1958, Act no. 85-659

Industrial development training institute, certain from special educational trust fund—

SB 513, page 315

Judicial officers and employees, compensation paid by state rather than counties, phase-in period—

SB 147, page 30

Local government capital improvement fund established, distribution of certain oil and gas revenues—

SB 439, page 247

SB 505, pages 313, 397, 481

HB 649, pages 688, 724, 1837, 1837, 1841, 1843, 1845, 1847, 1849

APPROPRIATIONS (Continued)

Louisiana, Mississippi, Alabama rapid rail transit commission—
SB 247, page 64

Lyman Ward military academy, appropriation—
SB 204, pages 52, 399, 592
HB 453, pages 689, 1506, 1537, 1643, 1655, 1657, 1806, 1847

Marion military institute, appropriation—
SB 197, pages 51, 399, 481
HB 462, pages 689, 1506, 1537, 1643, 1655, 1659, 1806, 1847

Non-state agencies, financial assistance, for fiscal year ending September 30, 1986—
SB 208, page 53

Public accountancy, board of, supplemental, from board of public accountancy fund—
SB 120, pages 24, 399, 749, 756, 926

Public safety department employees, board of adjustment to hear claims concerning work performed without compensation—
SB 690, pages 789, 870, 950, 1281, 1348, 1400

Public school and college authority, authorized to issue bonds for certain education purposes—
SB 650, page 711

Revenue forecast control commission, state revenue anticipated, by legislative regulation—
SB 134, pages 27, 177, 218, 734, 968, 1010, 1010

Scenic rivers system act, established, protection of waterways—
SB 295, page 91

Secretary of state, appropriation—
SB 125, pages 25, 398, 1280

Special educational trust fund, transfer of funds to public school fund—
SB 309, page 93

State employees, classified service of merit system, longevity pay provided, from state general fund—
SB 166, pages 45, 295, 360

State employees, pay raise—
SB 266, pages 68, 295, 379, 416, 443, 445, 450, 1352, 1427, 1441, 1850

State forest industrial development board, established—
SB 224, pages 60, 145, 165, 242, 323, 341

Swine diseases, eradication and control of, indemnify owners of swine ordered destroyed—
SB 164, pages 44, 397, 599
HB 183, pages 1413, 1759, 1769

Talladega college, appropriation—
SB 206, pages 52, 399, 1280
HB 452, pages 689, 1506, 1537, 1643, 1655, 1661, 1805, 1847

Teachers, salary increase, appropriation—
HB 788, pages 704, 884, 1274, 1922, 1923, 1924, 1926, 1927

APPROPRIATIONS (Continued)

- Telephone call boxes, on certain highways, authorized—
HB 275, pages 513, 881, 1922, 1923, 1924, 1926, 1927, 1951, 1956
- Tennessee-Tombigbee opening ceremonies, finance department—
HB 615, pages 508, 548, 977, 1922, 1923, 1924, 1926, 1927
- Tuskegee institute, appropriation—
SB 209, pages 53, 399, 454
HB 471, pages 692, 1506, 1537, 1643, 1655, 1660, 1806, 1847
- Veteran's service medal, established—
SB 461, pages 287, 416, 1280
- Walker county junior college, appropriation—
SB 221, pages 59, 399
HB 361, pages 590, 1506, 1537, 1643, 1654, 1656, 1806, 1847
- Youth services revolving fund, established, funding, distributed—
SB 188, pages 48, 238, 262

ARCHITECTS

- Architects and engineers, statute of limitation on certain civil actions concerning real estate improvement defects or deficiencies—
SB 196, page 51

ARRESTS

- Arrest for misdemeanor or felony without a warrant authorized—
SB 116, page 24
SB 375, pages 134, 551, 631
- Arrest without warrants authorized in certain cases involving traffic accidents—
SB 579, page 392
- Minimum arresting officer manpower requirement for Alabama department of public safety—
SB 716, page 1083

ARSON

- Further defined, woodlands protection act—
HB 358, pages 514, 727

ASSAULT

- Crimes and offenses, in first degree, to include causing injury with vehicle, while driving under influence—
SB 52, page 14

ASSOCIATION FOR RETARDED CITIZENS OF ALABAMA

- Tax exemption—
SB 337, pages 101, 723, 918

ATTORNEY GENERAL

- Executive assistant, salary altered—
SB 704, pages 865, 964

ATTORNEYS

Court of civil appeals, authorized to hire additional—

SB 390, pages 163, 401, 468, 896, 1256, 1265, 1369, 1423

Fees for representing indigent persons in commitment hearings, altered—

SB 572, page 391

Revenue department, assistant legal counsels, employment regulated—

SB 355, pages 131, 235, 263, 365

AUBURN UNIVERSITY

Appropriations for archaeological excavation in southern Elmore county—

SB 652, pages 711, 868, 959

Police, powers altered—

SB 637, pages 628, 882, 950, 1333, 1333, 1435, 1444, 1527, Act no. 85-632

HB 906, pages 1095, 1509, 1826, 1861, Act no. 85-727

AUTHORITIES

Agricultural development authority, to finance facilities for certain commodities—

SB 155, pages 43, 72, 78, 240, 263, 350, 416, 453, 513, 624, 637, 670, Act no. 85-313

Class 1 municipalities, certain public area transportation authorized, exempt from taxes on gas and oil—

SB 454, pages 286, 325, 366, 452, 649

Commercial development authority, to promote trade and commerce in class 1, 2, 3 municipalities, to include class 7 and 8 municipalities—

SB 668, pages 714, 869, 1113

Industrial development boards, county officer or employee may serve as director in lieu of judge of probate—

HB 578, page 957

Municipalities, authorized to incorporate downtown redevelopment authorities, powers, duties—

SB 581, pages 393, 635, 676, 975

HB 920, pages 1432, 1518, 1808, 1922, 1923, 1924, 1925, 1927, 1928, 1952, 1956, Act no. 85-683

Solid waste, provided further for board of directors of authorities—

SB 362, pages 132, 300, 312, 894, 940, 1255, 1260

AVIATION

Fuel tax—

SB 659, page 713

BAIL

Municipal ordinances, bail of persons charged under, judgments of municipal courts, appeal to circuit court—

SB 331, pages 100, 401, 1111

HB 40, pages 693, 726

BANKS AND BANKING

Branch banking by automated teller machine, authorized under certain conditions—

SB 154, page 31

SB 225, page 60

SB 281, page 88

SB 313, page 97

SB 364, page 133

SB 381, page 161

SB 405, page 203

SB 406, page 203

SB 415, page 208

SB 429, page 229

SB 437, pages 247, 325, 373, 767

HB 268, pages 307, 409, 457, 766, 804, 888, 923, 930, Act no. 85-364

Banking department, authorized to examine a bank every other year—
SB 371, pages 134, 412, 599

Credit unions, regulated by Alabama credit union administration, banking department relieved of said duties—

SB 124, pages 25, 81, 263, 366, 565, 571, 596, 941, 959, 1077, Act no. 85-457

Finance charge, defined—

SB 496, pages 293, 556, 800, 934

HB 708, pages 1106, 1762, 1886, 1902, 1902, 1908, 1910, 1911

Public holidays, national memorial day added and mardi gras discontinued—

SB 136, pages 27, 70, 185, 243, 416, 447, 448, 453, 482, 513, 515

Usury statute, conforms term “finance charge” to federal definition—

SB 222, page 59

Worthless checks, charge for, increased—

SB 110, page 23

Worthless checks, lenders of money and extenders of credit authorized to assess charge—

SB 273, pages 87, 149, 165, 242, 261, 323, 328, 516, 543, 594, Act no. 85-282

BARBERS AND BARBERING

State board of barber examiners, procedures for licensing and practice of barbering and barber colleges provided for, penalties—

SB 591, pages 460, 879, 950

BEER

Beer, maximum size of containers increased—

SB 490, page 292

BESTIALITY

Criminal penalties provided—

HB 75, pages 515, 727

BIRDS

Exotic bird business, regulated—

SB 416, pages 208, 633, 730, 771, 818, 1087, 1128, 1130

BLIND

Certain blind vendors, exempt from sales and use taxes, and gross receipt taxes—

SB 140, pages 28, 178, 240, 261, 676, 884, 909, 1434, 1444, 1527,
Act no. 85-574

Welfare, 18 year old limitation—

SB 259, pages 66, 304, 377

BOARD OF ADJUSTMENT

Public safety department employees, to hear claims concerning work performed without compensation, appropriation—

SB 690, pages 789, 870, 950, 1281, 1348, 1400

BOARD OF CHIROPRACTIC EXAMINERS

Sunset law review, continued—

HB 155, pages 506, 546, 597, 607, 618, 795, 1753, 1805, Act no. 85-613

BOARD OF DENTAL EXAMINERS

Dental hygienist added—

SB 103, page 22

SB 431, pages 229, 266, 323

BOARD OF DENTAL EXAMINERS

Dentistry, practice of, further regulated—

SB 33, pages 10, 300, 369, 908, 1257, 1370, 1424

HB 95, pages 514, 553, 645, 933, 1302, 1815, 1847, Act no. 85-697

BOARD OF ELECTRICAL CONTRACTORS

Established—

SB 629, pages 614, 679, 733, 810, 967, 1004, 1005

BOARD OF EXAMINERS FOR SPEECH PATHOLOGY

Sunset law review, modified, fees regulated—

HB 148, pages 331, 405, 512, 561, 562, 753, 754, Act no. 85-361

BOARD OF EXAMINERS IN PSYCHOLOGY

Fees increased—

SB 459, pages 287, 413, 896, 1330, 1330

Unauthorized practice prohibited—

SB 458, page 287

BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATION

Fees increased—

SB 574, pages 392, 963

Sunset law review, continued, regulated—

HB 149, pages 331, 405, 512, 562, 564, 570, Act no. 85-283

BOARD OF FUNERAL SERVICES

Educational requirements regulated, further altered, reinstatement of license, apprenticeships further provided for—
SB 1, page 4

BOARD OF HEARING AID DEALERS

Sunset law review, modified, fees increased—
HB 159, pages 487, 547, 597, 612, 621, 643, Act no. 85-337

BOARD OF MEDICAL EXAMINERS

Sunset law review, modified, litigation fund established, disposition of funds, membership compensation—
HB 164, pages 487, 547, 597, 612, 622, 643, Act no. 85-338

BOARD OF NURSING

Sunset law review, continued—
HB 152, pages 486, 545, 596, 603, 617, 642, Act no. 85-332

BOARD OF OPTOMETRY

Sunset law review, continued—
HB 153, pages 487, 546, 596, 605, 617, 642, Act no. 85-333

BOARD OF PHARMACY

Judicial review of order of board, governed by administrative procedure act—
HB 196, pages 1415, 1758, 1765

Pharmacists, license fee increased—
HB 194, pages 467, 548, 596, 945, 955, 1370, 1424, 1521, 1802, 1848, Act no. 85-702

Sunset law review, continued—
HB 156, pages 487, 546, 597, 611, 620, 642, Act no. 85-335

BOARD OF PHYSICAL THERAPY

Sunset law review, modified, alters composition, qualifications, travel expenses, subpoena power, special research and educational program—
HB 154, pages 487, 546, 597, 606, 618, 642, Act no. 85-334

BOARD OF PODIATRY

Sunset law review, modified, certain fees altered—
HB 157, pages 508, 546, 597, 611, 620, 750, 754, Act no. 85-359

BOARD OF PUBLIC ACCOUNTANCY

Supplemental appropriation from Alabama board of public accountancy fund—
SB 120, pages 24, 399, 749, 756, 926

BOARD OF REGISTRARS

Expense allowance, increased—
SB 527, pages 345, 879

Meeting days in certain counties, altered—
SB 615, pages 558, 722, 800, 938

BOARD OF REGISTRARS (Continued)

Voter registration file maintenance system established, powers—
SB 320, pages 98, 547, 613, 769, 804, 833, 836, 863

Voters, registration and polling places to be accessible to handicapped and elderly—
SB 89, pages 20, 70, 85, 128, 139, 180, 199, 203, 422, 538, Act no. 85-234

Voting, deputy registrar required to be at court house during all official hours, and to be open certain times prior to election deadline—
HB 468, pages 705, 883, 960

BOARD OF VETERANS' AFFAIRS

Membership expanded to include American ex-prisoners of war, incorporated—
SB 115, pages 24, 122, 180, 361, 417, 454, 565, 801, 1087, 1127

Per diem and travel expense established—
SB 467, pages 288, 404, 599

BOARD OF VETERINARY MEDICAL EXAMINERS

Sunset law review, modified, citizenship required, regulated—
HB 158, pages 487, 547, 597, 612, 621, 642, Act no. 85-336

BOATS AND BOATING

Sailboarders, wind surfers, exempt from flotation devices—
SB 694, pages 790, 961, 1233

BONDS

Agricultural development authority, authorized to finance facilities for certain commodities—
SB 155, pages 43, 72, 78, 240, 263, 350, 416, 453, 513, 624, 637, 670, Act no. 85-313

Alimony and child support, court may order obligation, to post bond or give security to guarantee payment—
SB 482, pages 291, 552, 733
HB 685, pages 1440, 1762

Bonds, counties and municipalities, sale of, altered—
SB 63, pages 16, 398, 591

Competitive export corporation established, powers and duties—
SB 346, pages 102, 415, 469, 771, 803, 831, 889

Corrections institution finance authority, sale of bonds regulated, term—
HB 450, pages 264, 326, 429, 945, 955, 1370, 1424, 1522, 1802, 1849

Counties and municipalities, sales of bonds, procedure altered—
SB 63, pages 16, 398, 591
SB 523, page 316

Industrial development, industrial access roads construction, public corporation formed to issue bonds—
SB 492, pages 292, 549, 733, 742, 967, 977, 1002, 1079, 1488, 1682, 1816, Act no. 85-549

Notaries public, bonds increased—
SB 45, pages 13, 631

BONDS (Continued)

Probate judge, bond required—
HB 247, pages 1436, 1761

Public school and college authority, authorized issue bonds for certain educational purposes—
SB 650, page 711

Trust fund created for certain counties and municipalities road construction and repair, oil lease moneys appropriation, bonds issued and proceeds distributed, CA—
SB 6, page 5

Water and sewer boards, interest on bonds, increased—
SB 11, page 6
SB 192, pages 49, 149, 179, 240

BOUNDARIES

Municipalities located in two counties, annexation procedure for certain territory regulated—
SB 686, page 788

Municipalities, validating certain attempted incorporation of—
SB 170, pages 45, 69, 78
SB 172, page 46

BUDGETS

Appropriations, dollar limit removed on state appropriation to commissioners on uniform state laws—
SB 318, pages 97, 237, 263, 894, 1255, 1299, 1349

Appropriations made for financial assistance to non-state agencies for fiscal year ending September 30, 1986—
SB 208, page 53

Budget management, state agencies and departments get approval from fiscal committee to change operations—
SB 135, pages 27, 123, 150

Education budget, support, maintenance and development of public education—
SB 210, page 53
HB 331, pages 590, 796, 1014, 1014, 1077, 1130, 1132, 1172, 1233, 1235, 1236, 1247, 1248, 1265, 1271, 1406, 1406, Act no. 85-516

General fund, ordinary expenses for executive, legislative and judicial departments—
SB 207, page 53
HB 332, pages 1107, 1505, 1537, 1538, 1643, 1798, 1798, Act no. 85-539

Military department billeting revolving fund, established—
SB 23, pages 8, 122, 220, 242, 763, 1408, 1428, 1441, Act no. 85-638

Proration of salaries and fringe benefits for state employees, prohibited—
SB 171, pages 45, 398, 559, 892, 1254

Special educational trust fund, transfer of funds to public school fund—
SB 309, page 93

BUSES

School buses, seatbelts required by certain date—
SB 133, pages 27, 173, 218

BUSINESS REGULATION

Highways, state right-of-way, commercial enterprises prohibited on—
SB 236, pages 62, 411, 599

Manufactured housing commission, created—
HB 600, pages 699, 724, 800, 946, 1113, 1425, 1522, 1803, 1907,
1908, Act no. 85-691

Motor vehicle dismantlers, two additional categories regulated, licensed—
SB 634, page 615
HB 730, pages 958, 1759, 1769

Motorcycle dealer franchises, dealings with wholesalers and manufacturers regulated—
SB 588, pages 459, 797

Municipalities, authority to license insurance companies regulated—
SB 37, page 11

Oysters, sacking and tagging for commercial purposes regulated, penalties—
SB 356, page 131
HB 451, pages 690, 962

Railroad companies, authorized to test certain employees for drug and alcohol abuse—
SB 525, pages 344, 881, 1116

Real estate commission, regulated further—
SB 80, pages 18, 704, 723, 1280
HB 327, pages 306, 414, 1260, 1837, 1863, 1915, Act no. 85-750

Securities, registration, examination, fees for dealers and salesmen, transactions exempt from law, directors, compensation—
SB 548, pages 349, 725, 1113

CAHABA RIVER

Cahaba trace commission, established, powers, duties, authorized to issue bonds—
SB 463, pages 288, 406, 481, 985

Environmental protection, solid wastes, pollution and mining regulation, penalties—
SB 92, pages 20, 543
HB 252, pages 507, 632

CAPITAL PUNISHMENT

Designate locations for executions—
SB 466, pages 288, 404, 591

Murder of plainclothes law enforcement personnel punishable by death—
SB 498, page 293

CAPITOL COMPLEX

Legislature, additional parking facilities on—
SB 121, pages 25, 177, 284, 365, 416, 511, 537, 1448, 1464, 1527,
Act no. 85-525

CAREER INCENTIVE PROGRAM ACT

Career ladder, Alabama performance based pay plan for teachers—

SB 126, page 25

HB 544, pages 426, 680, 800, 913, 917, 1371, 1401, 1405, 1420, 1421, 1426, 1429, 1430, 1441, 1442, 1444, 1445, 1446, 1448, 1465, 1466, 1467, 1468, 1469, 1484, 1485, 1486, 1523, 1527, 1529, 1678, 1788, 1788, Act no. 85-541

CATFISH

Promotion of, assessment provided—

SB 553, pages 372, 633, 818, 911, 1086

Promotion of, CA—

SB 567, pages 390, 633, 732

CERTIFICATE OF NEED

Abortion and reproductive health centers required—

SB 182, page 47

Health care, conversion of beds for other health services—

SB 613, pages 558, 681, 718, 941, 1325, 1400

State health planning and development agency, application fees, paid into state general fund—

SB 342, pages 102, 233, 263

Two year moratorium—

SB 635, page 615

HB 722, pages 704, 1758, 1767

CERTIFICATE OF TITLE

Motor vehicles, title modified—

SB 596, page 461

Uniform certificate of title and antitheft act, certain duplication of issuance eliminated—

SB 175, pages 46, 147, 284, 367

HB 163, pages 166, 297, 645, 1836, 1858, 1922, 1923, 1924, 1926, 1927, Act no. 85-705

Uniform certificate of title and antitheft act, surrender of vehicle, identification number plate requiring altering, salvage certificate, insurance company exemption total loss redefined, chop shops prohibited—

SB 672, pages 715, 869, 1280, 1290, 1290, 1400, 1930, 1955, 1959, Act no. 85-650

CHANCELLOR OF POSTSECONDARY EDUCATION

State fire college, administered by—

SB 363, pages 132, 409, 1116

CHARITIES

Corporate income tax, reformed regarding timely mailing, determination of basis, S corporations, recognition of gains, corporation distribution, filing deadline, charitable contributions corporation deductions, net operating loss deduction installment sales—

SB 568, page 391

HB 669, pages 848, 960, 1113, 1331, 1331, 1407, Act no. 85-515

Elks club, tax exempt—

SB 261, page 67

CHARITIES (Continued)

Income tax deductions for corporations, allowed same as individuals for donations to state of Alabama, charities and educational institutions—

SB 423, pages 209, 398, 591, 707, 895, 1255, 1263

Rehabilitation and crippled children service, reimbursements for state expenditures do not revert to state—

SB 86, pages 19, 123, 180, 220, 416, 453, 512, 1666, 1681, 1816, Act no. 85-544

Solicitation of funds, 75% of funds must actually go to charity—

HB 802, page 1438

Taxation, civic club charitable fund raising events, tax exempt—

SB 150, page 31

CHIEFS OF POLICE

Fire marshal, chiefs-of-police, marshals and mayors of incorporated municipalities deleted as assistant fire marshals—

SB 174, pages 46, 69, 150, 801, 1086

CHILD ABUSE

Child abuse and neglect prevention board and children's trust fund, powers, authority, duties, staff, compensation regulated—

SB 334, pages 100, 679

SB 547, pages 349, 413, 598, 1340

HB 928, pages 1243, 1515, 1667, 1668, 1793, 1793, 1848, Act no. 85-698

Child protection teams, established in counties by pensions and security department—

SB 543, pages 348, 555, 598, 1341

HB 945, pages 1237, 1517, 1665, 1668, 1668, 1783, 1787, 1789, 1903, 1910, Act no. 85-682

Children's trust fund, amount donated to from income tax refund, altered—

SB 341, page 101

SB 546, pages 349, 413, 598, 1340

HB 927, pages 1243, 1698, 1763

Criminal history checks for sex crimes authorized on persons having direct supervision of minors—

SB 539, pages 347, 554, 598, 708, 709, 763

HB 941, pages 1244, 1517, 1664, 1667, 1668, 1791, 1902, 1910, Act no. 85-681

Definitions expanded to include sexual abuse and exploitation, penalties—

SB 540, pages 348, 555, 598, 946

HB 942, page 1365

Incest, child abuse prosecution must be commenced within 15 years—

SB 541, pages 348, 555, 598, 1341

HB 943, page 1237

Missing persons information center established within department of public safety—

SB 532, pages 346, 553, 598, 749, 751, 932, 1342, 1400

HB 936, pages 1240, 1515, 1664, 1667, 1668, 1777, 1799, Act no. 85-538

CHILD ABUSE (Continued)

Missing persons, prompt reporting to state and federal information center—

SB 535, page 346

Missing persons, sharing of information among agencies—

SB 544, pages 348, 556, 598, 1340, 1356

HB 946, pages 1238, 1517, 1665, 1668, 1668, 1789, 1848, Act no. 85-699

Sexual abuse offenders, special paroling procedure provided—

SB 542, pages 348, 555, 598, 1341

HB 944, page 1237

Special assistance in criminal proceedings involving children who are victims or witnesses to a crime—

SB 536, pages 347, 554, 598, 767, 803, 818, 890

HB 938, pages 1244, 1516, 1664, 1668, 1668, 1777

Testifying in child or sexual abuse cases, special criminal procedural safeguards authorized—

SB 537, pages 347, 554, 598, 946

HB 939, pages 1244, 1516, 1665, 1668, 1668, 1779, 1782, 1793, 1906, 1914, Act no. 85-743

Victims of sexual abuse or exploitation, certain protections granted regarding identity, interviews, and the concealing of court records, penalties—

SB 545, pages 349, 556, 598, 1340

HB 947, pages 1238, 1518, 1665, 1668, 1668, 1790, 1905, 1913, Act no. 85-742

CHILD CARE FACILITIES

Records and background information checks on operators and other employees—

HB 646, pages 691, 726, 1281

CHILD CUSTODY

Crime of interference to include parent secreting child from other parent—

SB 693, page 789

CHILD PROTECTION ACT

Children's trust fund, amount donated to from income tax refund altered—

SB 341, page 101

SB 546, pages 349, 413, 598, 1340

HB 927, pages 1243, 1698, 1763

Criminal history checks for sex crimes authorized on persons having direct supervision of minors—

SB 539, pages 347, 554, 598, 708, 709, 763

HB 941, pages 1244, 1517, 1664, 1667, 1668, 1791, 1902, 1910, Act no. 85-681

Protection teams, established in counties by pensions and security department to protect children against abuse—

SB 543, pages 348, 555, 598, 1341

HB 945, pages 1237, 1517, 1665, 1668, 1668, 1783, 1787, 1789, 1903, 1910, Act no. 85-682.

CHILD SUPPORT

Alimony and child support, court may order obligation or to post bond or give security to guarantee payment—

SB 482, pages 291, 552, 733

HB 685, pages 1440, 1762

Definition of income for, altered—

SB 385, page 162

Foreign order, procedure may be ratified in Alabama courts—

SB 254, pages 65, 239, 430

Foster care, assignment of, to pensions and security department—

HB 199, pages 1435, 1760

Magistrates to hear certain cases authorized, administrative agency established—

SB 528, page 345

Paid directly to pensions and security department in certain circumstances—

SB 380, pages 161, 402, 599, 773, 896, 1256, 1369, 1423

Pensions and security department, operation, collection procedures—

SB 252, pages 65, 239, 431

Pensions and security may assign payments owed—

SB 257, pages 66, 412, 591

Salary withholding regulated, procedure—

SB 251, pages 64, 238, 431

State may garnish wages for support due in other states—

SB 260, pages 66, 238, 323, 362, 684, 885, 912

State parent locator, revenue department to furnish information—

SB 258, pages 66, 237, 323, 934, 1327, 1399

CHILDREN

Advisory council on children and youth, established, appropriation, duties, terms—

SB 580, pages 392, 679

SB 589, pages 459, 679

HB 1020, page 1417

Alcoholic beverages, legal age to purchase, consume, possess, transport, increased, exemptions—

SB 226, page 60

HB 6, pages 198, 403, 484, 676, 676, 764, 803, 822, 852, 1405, 1406, 1801, 1911, 1940, Act no. 85-687

Child care facilities, records and background information checks on operators and other employees—

HB 646, pages 691, 726, 1281

Child custody, crime of interference to include parent secreting child from other parent—

SB 693, page 789

CHILDREN (Continued)

Child labor law, hours regulated—

SB 365, pages 133, 236, 429, 776, 804, 888, 929, 947

HB 86, page 1418

Children, detention in jails regulated—

SB 253, pages 65, 239, 262, 938

Children, special assistance in criminal proceedings involving children who are victims or witnesses to a crime—

SB 536, pages 347, 554, 598, 767, 803, 818, 890

HB 938, pages 1244, 1516, 1664, 1668, 1668, 1777

Corporations, tax credit for child day care—

SB 495, page 293

Kindergartens, pupils included in minimum program fund—

SB 98, pages 21, 79, 151, 769, 857, 1087, 1129

Labor, bring child labor statutes into agreement with federal laws pertaining to working hours of children under sixteen—

SB 365, pages 133, 236, 429, 776, 804, 888, 929, 947

HB 86, page 1418

Mental health department, children in custody of, discharge procedure—

SB 436, pages 230, 412, 925

HB 613, pages 1090, 1758, 1765, 1922, 1923, 1924, 1926, 1927, 1950

School personnel, communications regarding drug use of students, immune from civil liability—

SB 73, pages 17, 80, 151, 219, 261, 281, 421, 434, 538, Act no. 85-239

SB 228, pages 60, 401, 468

Sickle cell anemia, susceptible infants tested at birth—

SB 211, pages 53, 414, 468, 766, 1346, 1399

CHILDREN'S TRUST FUND

Amount donated to from income tax refund altered—

SB 341, page 101

SB 546, pages 349, 413, 598, 1340

HB 927, pages 1243, 1698, 1763

Child abuse and neglect prevention board, children's trust fund, staff, compensation, distribution of funds—

SB 334, pages 100, 679

SB 547, pages 349, 413, 598, 1340

HB 928, pages 1243, 1515, 1667, 1668, 1793, 1793, 1848, Act no. 85-698

CHOP SHOP

Defined, operation prohibited—

SB 671, pages 715, 883

Uniform certificate of title and antitheft act, surrender of vehicle, identification number plate requirement altered, salvage certificate, insurance company exemption total loss redefined, inspection, chop shops prohibited—

SB 672, pages 715, 869, 1280, 1290, 1290, 1400, 1930, 1955, 1959, Act no. 85-650

CIVIL DEFENSE

Emergency management act, includes man-made, natural or technological disasters, for purposes of continuing state government—
SB 5, pages 5, 174, 240

CIVIL PROCEDURE

Amusement safety act established, operation of amusement rides and attractions, penalties—
SB 339, pages 101, 410, 456, 771, 804, 842, 889

Appeals to circuit court from district court, dismissed when defendant fails to appear—
SB 627, page 614
HB 934, pages 1437, 1746, 1764

Architects and engineers, statute of limitation on certain civil actions concerning real estate improvement defects or deficiencies—
SB 196, page 51

Civil action against builders under supervision of architect or engineer constructing improvements on or to real property, in tort or otherwise, statute of limitation 3 years, 7 years, certain instances, retroactive effect—
SB 471, page 289
HB 587, page 1419

Civil liability, maximum amount parent liable for damage by minor increased—
SB 563, pages 390, 882

Condominium owners, certain voting rights adjusted, manner of recording—
SB 277, page 88

Debts owed state, set-off collection procedure—
SB 626, pages 614, 797

Garnishment, state law altered to conform to federal law—
SB 347, pages 103, 400, 650, 772, 777, 968, 1013

Insurance commissioner authorized to levy civil penalty for violations of title 27—
SB 216, page 59

Interest on money judgments, altered—
SB 616, pages 558, 726, 800

Municipal ordinances, procedure to introduce evidence in circuit courts—
SB 323, pages 98, 403, 1111

Pro tanto releases or discharges in writing which reserve claimant's right to proceed includes judgments—
SB 46, pages 13, 80, 151, 215
HB 220, pages 690, 727, 932, 1287, 1288, 1321, Act no. 85-517

Tax liens, uniform optional filing fee in lieu of other fees—
SB 421, pages 209, 404, 682, 936

CODE CORRECTED

Alabama code commissioner, editorial changes in the workmen's compensation, authorized to be made—

SB 394, pages 163, 237

HB 475, pages 308, 405, 903

CODE OF ALABAMA, 1975, AMENDED

Section 1-3-8, public holidays, national memorial day added and mardi gras discontinued—

SB 136, pages 27, 70, 185, 243, 416, 447, 448, 453, 482, 513, 515

SB 413, page 207

Section 2-3A-2, agricultural development authority, authorized to finance facilities for certain commodities—

SB 155, pages 43, 72, 78, 240, 263, 350, 416, 453, 513, 624, 637, 670, Act no. 85-313

Section 3-1-13, animals, humane officers authorized to take control of certain animals found neglected or mistreated—

SB 151, pages 31, 72, 77, 265, 350, 367, 804, 888, 924, 925, 926, 926

Section 3-9-2, emergency management act—

SB 5, pages 5, 174, 240

Sections 4-2-42, 8-17-87 and 40-17-31, aviation fuel tax repealed—

SB 659, page 713

Sections 5-2A-1, 5-2A-7, 5-2A-8, 5-2A-120, 5-2A-121, 5-2A-122, 5-2A-123, 5-2A-124, 5-2A-125, 5-17-2, 5-17-3, 5-17-4, 5-17-9, 5-17-10, 5-17-13, 5-17-19, 5-17-21, 5-17-22 and 5-17-23, credit unions, regulated by Alabama credit union administration, banking department relieved of duties—

SB 124, pages 25, 81, 263, 366, 565, 571, 596, 941, 959, 1077, Act no. 85-457

Section 5-3A-1, banking department, authorized to examine a bank every other year—

SB 371, pages 134, 412, 599

Section 5-5A-20, branch banking, automatic teller machine authorized under certain conditions—

SB 154, page 31

SB 225, page 60

SB 313, page 97

SB 364, page 133

SB 381, page 161

SB 405, page 203

SB 406, page 203

SB 415, page 208

SB 429, page 229

SB 437, pages 247, 325, 373, 767

HB 268, pages 307, 409, 457, 766, 804, 888, 923, 930, Act no. 85-364

Section 5-19-1, banks, definition of "finance charge", exclusions conformed to federal banking laws—

SB 496, pages 293, 556, 800, 934

HB 708, pages 1106, 1762, 1886, 1902, 1902, 1908, 1910, 1911

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 5-19-15, garnishment, state law altered to conform to federal law—
SB 347, pages 103, 400, 650, 772, 777, 968, 1013
- Section 6-5-380, civil liability, maximum amount parent liable for damage by minor increased—
SB 563, pages 390, 882
- Section 6-8-40, judge of probate, authorized to microfilm weekly newspapers—
HB 860, pages 1106, 1680, 1763
- Section 6-8-64, newspapers, charge for legal notice advertising the current published commercial classified advertising rate—
HB 304, pages 1365, 1746, 1761, 1922, 1923, 1924, 1925, 1927, 1949
- Section 7-9-307, agricultural products, buyer in ordinary course of business, provided further—
SB 351, pages 103, 960
SB 510, pages 314, 407
- Section 7-9-403, mobile homes, finance statement filing, regulated—
SB 307, pages 93, 411, 599
- Sections 8-6-1, 8-6-3, 8-6-11, 8-6-18 and 8-6-56, securities, registration, examination, fees for dealers and salesmen, transactions exempt from law, directors' compensation—
SB 548, pages 349, 725, 1113
- Section 8-8-5, usury statute, conforms terms "finance charge" to federal definition—
SB 222, page 59
- Section 8-8-10, interest, on money judgements, altered—
SB 616, pages 558, 726, 800
- Section 8-8-15, worthless checks, lenders of money and extenders of credit authorized to assess charges—
SB 273, pages 87, 149, 165, 242, 261, 323, 328, 516, 543, 594, Act no. 85-282
- Section 8-17-91, state treasurer, authorized to distribute petroleum inspection fees—
SB 158, pages 43, 124, 151, 367, 1327
- Sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-225 and 8-17-226, fireworks, regulated, definitions, prohibition and sale of, to persons under 16—
SB 163, pages 44, 125, 719, 776, 895, 1255, 1262
- Section 8-20-8, motor vehicle franchise act, "lemon law", altered—
SB 349, pages 103, 324, 468
- Section 9-2-107, state park revolving fund, portion of receipts pledged for certain uses—
SB 232, pages 61, 145, 430, 766, 1334
HB 342, page 534
- Sections 9-4-11 and 9-4-12, state geologist, authorized to contract with federal government for surveys—
SB 25, pages 9, 147, 179, 214, 262, 280

CODE OF ALABAMA, 1975, AMENDED (Continued)

Sections 9-7-22, 22-22-9, 22-22A-5, 22-22A-7, 22-22A-11, 22-23-52, 22-28-22 and 22-28-23, environmental management, further regulates control, abatement and prevention of pollution and environmental problems—

SB 719, page 1083

HB 743, pages 1091, 1758, 1766, 1770, 1924, 1941

Section 9-11-31, fish, game, and wildlife, importing game into state regulated—

SB 688, pages 788, 961

Sections 9-11-47 and 9-11-49, hunting licenses, nonresident fees, altered—
SB 350, pages 103, 632, 741, 770

Sections 9-11-55 and 9-11-56, game and fish, county license fees for nonresident fishing licenses, increased, distributed—

SB 8, pages 6, 71, 220, 240, 749, 756, 761

Section 9-11-237, game and fish, hunters and catchers may donate parts of game animals to nonprofit corporations without penalty—

SB 661, pages 713, 961

Section 9-13-11, arson further defined, relating to malicious burning of woodlands, "Alabama woodlands protection act"—

HB 358, pages 514, 727

Section 9-13-63, forest products, records of purchase must be maintained, penalties—

SB 243, pages 63, 145, 430

Section 9-13-82(A), forest products, severance of, at an increased tax rate—

SB 19, page 8

HB 58, pages 493, 549, 732, 933, 1808, 1809, 1848, Act no. 85-700

Section 9-13-126, forest tree insect and disease fund, regulated—

SB 229, pages 61, 174, 431, 943

Section 9-14-27, state parks, concession contracts, term extended—

SB 231, pages 61, 145, 430

Sections 9-17-1, 9-17-6, 9-17-7, 9-17-12, 9-17-13 and 9-17-32, oil and gas board, powers and duties, altered—

SB 396, pages 164, 297, 424

HB 290, pages 1436, 1518, 1922, 1923, 1924, 1926, 1927

Section 9-17-13, oil and gas drilling, certain non-consenting owners required to pay proportionate share of drilling—

SB 397, pages 164, 415, 481

Section 9-17-24, oil and gas board, fees for classification of wells under the natural gas policy act of 1978—

SB 395, pages 163, 235, 262, 368

Section 9-17-26, oil and gas production tax, reporting date altered—

SB 398, pages 164, 410, 481

Section 10-2A-111, business corporation act, procedure to amend articles of incorporation, altered—

SB 376, pages 135, 236, 304

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 10-3A-2(8), Alabama nonprofit corporation act, definition of membership to include domestic and foreign corporation—
SB 60, pages 15, 121, 137, 216, 416, 453, 533
- Sections 10-4-389, 10-4-403, 10-10-2 and 10-10-10, Alabama professional corporation act, altered—
SB 118, pages 24, 300, 373, 776
- Section 11-3-4.1, county commissioners minimum compensation established—
SB 111, pages 23, 70, 77, 197, 221, 223, 228, 790, 820, 860, Act no. 85-365
- Section 11-3-8, county commission, each authorized to set its own day and time of meetings—
SB 36, pages 10, 405, 599
- Section 11-20-36, industrial development boards, county officer or employee may serve as director in lieu of judge of probate—
HB 578, page 957
- Section 11-41-8, municipal corporations, validation of certain attempted incorporations invalidated by procedure irregularities—
SB 597, page 461
HB 430, pages 691, 1680, 1761
- Section 11-43-40, city councils, in certain cities, composition—
SB 235, pages 62, 298, 431
HB 214, pages 690, 722, 1366
- Section 11-43-42, municipalities, special election to fill vacancies in mayor's office—
SB 304, page 93
- Section 11-45-8, municipal ordinances, adoption of like ordinance and reference—
SB 70, pages 17, 70, 77, 219
HB 102, pages 1363, 1746, 1760
- Section 11-50-1.1, municipalities and public water entities, prohibited from acquiring or duplicating certain water systems—
SB 417, page 208
HB 583, pages 1440, 1759, 1768
- Section 11-50-313, municipalities, any municipal officer who serves on boards of directors of municipal water, sewer, gas or electric systems, entitled to fee for services—
SB 479, pages 290, 411, 468, 768, 804, 841
- Section 11-50-345, water and sewer boards, interest on bonds, increased—
SB 11, page 6
SB 192, pages 49, 149, 179, 240
- Sections 11-51-120, 11-51-121 and 11-51-122, municipalities, authorized to license insurance companies, regulated—
SB 37, page 11
- Sections 11-54-170 and 11-54-171, commercial development authority, to promote trade and commerce in class 1, 2, 3 municipalities to include class 7 and 8 municipalities—
SB 668, pages 714, 869, 1113

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 11-81-11, bonds, counties and municipalities, sale of, altered—
SB 63, pages 16, 398, 591
SB 523, page 316
- Section 11-89A-6, solid waste, boards of directors of authorities, provided further—
SB 362, pages 132, 300, 312, 894, 940, 1255, 1260
- Sections 11-90-2, 11-90-3 and 11-90-4, public libraries, regulated further—
SB 583, page 458
- Section 11-94-15, municipal-county port authorities, certain public entities may provide financial aid—
SB 374, pages 134, 235, 304, 1004, 1371, 1425
- Sections 11-96-1 and 11-96-3, community action agencies, provided further—
HB 764, pages 1418, 1680, 1762
- Section 12-12-70, appeals to circuit court from district court, dismissed when defendant fails to appear—
SB 627, page 614
HB 934, pages 1437, 1746, 1764
- Section 12-13-20, probate judges, minimum salary increase—
SB 218, pages 59, 299, 387, 476, 565, 567, 594, 1324, 1882, 1884, 1907, 1919, 1958, Act no. 85-666
- Section 12-13-33, probate judge, bond required—
HB 247, pages 1436, 1761
- Sections 12-14-5 and 12-14-70, bail for persons charged with violations of municipal ordinance, appeal of judgment from municipal to circuit court regulated—
SB 331, pages 100, 401, 1111
HB 40, pages 693, 726
- Sections 12-15-7, 44-1-24, 44-1-25, 44-1-26, and 44-1-27, juvenile probation officers, placed under administrative office of courts—
SB 244, pages 63, 550, 631, 940
- Section 12-15-34, youthful offenders, once transferred to criminal court as adult, always tried as adult—
SB 157, pages 43, 401, 481
HB 400, pages 689, 883, 1361
- Section 12-15-61, children, detention in jails regulated—
SB 253, pages 65, 239, 262, 938
- Section 12-15-90, mental health department, discharge custody of juvenile, procedure—
SB 436, pages 230, 412, 925
HB 613, pages 1090, 1758, 1765, 1922, 1923, 1924, 1926, 1927, 1950
- Section 12-17-213, district attorneys, supernumerary service time altered—
SB 21, pages 8, 233, 262, 1277, 1278, 1359
- Section 12-18-60, district court judges, spouse death benefits, provided further—
SB 76, pages 18, 149, 179, 219, 417, 453, 534

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 12-18-87, probate judges, graduated percentage cost-of-living increase to spouses under judicial retirement fund—
SB 683, page 787
- Section 12-18-110, judges, re-open retirement system for certain previous service—
SB 576, pages 392, 680, 732
- Section 12-19-90, probate judges, fees for copies of instruments—
SB 605, pages 463, 631, 720, 749, 752, 774, 1327
- Section 12-19-251.1, fair trial tax, payment of, further provided—
SB 69, page 17
SB 619, page 559
- Section 12-21-73, circuit courts, to take judicial notice of all municipal ordinances—
SB 520, page 316
- Section 12-21-109, civil procedure, pro tanto releases or discharges in writing which reserve claimant's right to proceed includes judgment—
SB 46, pages 13, 80, 151, 215
HB 220, pages 690, 727, 932, 1287, 1288, 1321, Act no. 85-517
- Section 13A-3-1, insanity, defense to criminal proceedings, test established—
SB 74, page 17
- Section 13A-5-9, felons, certain multiple offenses to be construed as one offense under habitual offender act—
SB 608, pages 557, 882
- Section 13A-5-40, capital punishment, murder of plainclothes law enforcement personnel, punishable by death—
SB 498, page 293
- Section 13A-6-3, manslaughter, crime defined—
SB 156, pages 43, 401, 481
- Section 13A-6-20, crimes and offenses, assault in first degree to include causing injury with vehicle while DUI—
SB 52, page 14
- Section 13A-6-45, child custody, crime of interference, to include parent secreting child from other parent—
SB 693, page 789
- Section 13A-6-60, rape of wife by husband, exclusion from criminal responsibility removed—
SB 524, pages 316, 551, 777, 937, 1301
- Section 13A-6-64, bestiality, criminal penalties provided—
HB 75, pages 515, 727
- Section 13A-10-30, escape, while on work release, leave or furlough, deemed a felony—
SB 56, pages 15, 80, 151, 216, 1333
SB 160, pages 44, 234, 387

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 13A-11-74, United States law enforcement officials, retirees exempt from pistol permit license—
SB 105, page 22
- Section 13A-11-74, pistol permits, district attorneys, supernumerary district attorneys, and assistant district attorneys, excused from obtaining pistol permit—
SB 549, pages 349, 725, 1113
- Section 13A-14-2, sunshine law, strengthens open-meeting laws—
HB 820, pages 1416, 1680, 1763, 1837, 1856, 1856, 1863
- Sections 13A-14-2 and 16-36-2, textbook committee, membership increased, open meetings provided—
SB 114, pages 23, 79, 195, 361
- Section 14-1-14, corrections department, fund increased—
SB 468, pages 288, 550, 616
- Section 14-3-9, corrections department, reporting of violations in prisons altered—
SB 477, pages 290, 401, 591, 944, 1114, 1426
- Section 15-3-1, incest, child abuse prosecution must be commenced within 15 years—
SB 541, pages 348, 555, 598, 1341
HB 943, page 1237
- Section 15-3-5, statute of limitations, number of crimes falling under—
SB 9, page 6
- Sections 15-5-8 and 15-5-12, night time search warrants, issuance of, provided further—
SB 97, pages 21, 402, 481
- Section 15-10-3, arrest for misdemeanor or felony without a warrant authorized—
SB 375, pages 134, 551, 631
- Section 15-10-3, arrest without warrants, authorized in certain cases involving traffic accidents—
SB 579, page 392
- Section 15-10-3, federal law enforcement officers, arrest power authorized—
SB 116, page 24
- Section 15-18-8, criminal sentences of 10 years or less, certain mandatory time of incarceration—
SB 625, page 614
- Sections 15-18-8 and 15-22-50, minimum sentences, increased—
SB 55, pages 15, 79, 119, 151, 178, 215, 221, 224
- Sections 15-18-80, 15-18-81, 15-18-82, 15-18-83 and 15-18-84, capital punishment, locations for executions designated—
SB 466, pages 288, 404, 591
- Section 15-19-1, youthful offenders, certain crimes, must be tried as an adult—
SB 128, page 26

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 15-21-8, writ of habeas corpus, granted without delay, exceptions—
HB 461, pages 690, 884, 1922, 1923, 1924, 1926, 1927
- Section 15-22-27, death sentence, governor can commute to life for certain crimes—
SB 54, pages 14, 80, 119, 151, 178, 215, 221, 224
- Sections 15-23-3, 15-23-4, 15-23-5, and 15-23-14, crime victim compensation commission, certain new definitions, meeting dates, statistical data, subrogation rights, access to law enforcement reports—
SB 687, page 788
- Sections 16-1-18, 16-8-25, 16-12-21, 16-22-9, and 21-1-21, educational employees, maximum number of accumulated sick leave days increased—
SB 193, pages 49, 634
- Section 16-3-1, board of education, state, one member elected from each congressional district—
SB 289, pages 90, 1085
- Section 16-5-7, colleges, Alabama commission on higher education authorized to publish teachers' salaries—
SB 223, pages 60, 634, 733, 856, 976, 1087
- Section 16-6A-5, governor's education reform commission, membership increased—
SB 577, page 392
- Section 16-8-1, city and county school board members, required to reside in city or county of their election for one year—
SB 203, pages 52, 408, 468, 943
- Section 16-11-1, city boards of education, include municipalities in which colleges are located—
HB 28, pages 306, 552, 1137, 1922, 1923, 1924, 1926, 1927, 1951
- Section 16-11-2, education, city board of, members, procedure for replacement by mayor and city governing body—
SB 484, page 291
- Section 16-13-52, kindergartens, pupils included in minimum program fund—
SB 98, pages 21, 79, 151, 769, 857, 1087, 1129
- Section 16-13-52, minimum school program, average daily attendance, further defined—
SB 308, pages 93, 408
- Section 16-13-58, minimum program and public school fund, fully funded—
SB 345, pages 102, 212, 240, 772, 804, 855, 890
- Sections 16-14-4, 16-14-5, 16-14-6, 16-14-7, 16-14-8, 16-14-9, 16-14-10, 16-14-11, 16-14-12, 16-14-13, 16-14-15, 16-14-17, 16-14-18, and 16-14-19, Alabama public school corporation, authorized to borrow money on behalf of local school boards—
SB 587, pages 458, 634, 732, 776, 804, 888, 928

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 16-22-3, school personnel, examination for tuberculosis, required—
SB 99, pages 21, 79, 151
- Section 16-22-6, educational employees, maximum number of accumulated sick leave days increased—
SB 575, page 392
- Section 16-23-4, teaching certificate, applicant fee increased—
SB 159, page 44
- Section 16-24-2, tenure, granted to a teacher after one year if teacher already had tenure in another system—
SB 185, pages 48, 173, 341, 1351
- Section 16-24-31, state tenure commission, geographical limitations on membership removed—
SB 227, pages 60, 174, 430, 933
- Sections 16-25-1 and 16-25-19, teachers' retirement system, board of control, membership increased—
SB 107, pages 22, 212, 239, 243, 261, 282, 1236, 1276, 1357, Act No. 85-519
- Section 16-25-5, retirement systems, reopening teachers retirement system for certain members to purchase prior service credit—
SB 682, page 787
- Section 16-25-14, teachers, mandatory retirement of, exceptions allowed on year by year basis—
SB 95, pages 20, 78, 217, 361, 630
SB 198, page 51
HB 297, pages 121, 212, 228, 260, 322, 323, 327, 332, Act no. 85-208
- Section 16-25-14, teachers' retirement system, members benefits relative to surviving spouse, changed—
SB 275, pages 87, 634, 801, 801, 1086
HB 447, pages 699, 1506
- Sections 16-25-14 and 36-27-26, retirement systems, teachers' and employees' retirement system eligible members, choice of lump sum death benefit for survivors—
SB 168, pages 45, 70, 77, 196, 221, 222
- Section 16-25A-1 and 36-29-10, retired employees, election to continue coverage under group insurance plan, premium paid by state—
SB 285, pages 89, 232, 263, 363, 676, 884, 910, 1750, 1795, 1816, 1881, 1904, 1919, 1958, Act no. 85-649
- Section 16-27-6, school buses, seat belts required by certain date—
SB 133, pages 27, 173, 218
- Sections 16-36-7, and 16-36-27, kindergartens, board of education to purchase textbooks for—
SB 112, pages 23, 408, 591, 939, 1285, 1359
- Section 16-39-7, gifted children, local laws may allocate teacher units—
SB 590, page 460

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 16-48-12, Auburn university police, powers altered—
SB 637, pages 628, 882, 950, 1333, 1333, 1435, 1444, 1527, Act no. 85-632
HB 906, pages 1095, 1509, 1826, 1861, Act no. 85-727
- Sections 16-49-20, 16-50-20, 16-51-3, 16-52-3, 16-53-3, 16-54-2, 16-55-2, and 16-56-3, boards of trustees, at certain state colleges, additional members—
SB 137, page 27
- Sections 16-49-6 and 16-49-27, Alabama A&M university, board of trustees, meetings, quorum altered—
HB 521, pages 699, 1759, 1769
- Sections 16-59-1, 16-59-2, 16-59-3 and 16-59-4, state fire college, administered by chancellor of postsecondary education—
SB 363, pages 132, 409, 1116
- Section 17-4-153, board of registrars, expense allowance—
SB 527, pages 345, 879
- Section 17-4-156, board of registrars, meeting days in certain counties altered—
SB 615, pages 558, 722, 800, 938
- Section 17-5-12, elections, alternative place of holding, designated by county commission—
HB 456, pages 1365, 1680, 1761
- Sections 17-10-3, 17-10-5, 17-10-12, 17-10-13, 17-10-14, and 17-16-11, absentee voting, additional time for applying for, receiving, and returning ballots—
SB 644, pages 629, 722, 799
- Sections 17-10-4, 17-10-5, 17-10-10, and 17-10-11, absentee voting, procedures for curbing certain abuses—
SB 314, page 97
- Section 17-16-6, primary elections, date of, altered—
HB 301, pages 142, 297, 598, 601, 602, 650, 650, 652, 653, 654, 746, 793, 819, Act no. 85-389
- Sections 17-22-8, 17-22-9, and 17-22-10, campaign contributions, reporting of, additional information required—
SB 142, pages 29, 172, 217
- Sections 18-1-1, 18-1-2, 18-1-3, 18-1-4, 18-1-5, 18-1-6, 18-1-7, 18-1-8, 18-1-9, 18-1-10, 18-1-11, 18-1-12, 18-1-13, 18-1-14, 18-1-15, 18-1-16, 18-1-17, 18-1-18, 18-1-19, 18-1-20, 18-1-21, 18-1-22, 18-1-23, 18-1-24, 18-1-25, 18-1-26, 18-1-27, 18-1-28, 18-1-29, 18-1-30, 18-1-31, and 18-1-32, Alabama eminent domain code established, condemnation procedures prescribed—
SB 287, pages 89, 400, 468, 768, 804, 850, 890, 1489, 1682, 1816, Act no. 85-548
- Sections 18-1-19, 23-1-207, and 40-11-4, ad valorem taxes on property acquired by tax exempt body through eminent domain, regulated—
SB 343, pages 102, 727

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 18-3-1, eminent domain, acquisition of right-of-way, appeal process provided—
SB 311, pages 94, 401, 1013, 1114, 1426
SB 522, pages 316, 411, 468
- Section 19-3-120, African development bank, executors and fiduciaries authorized to invest in—
SB 290, page 90
SB 430, pages 229, 326, 430, 933
- Sections 20-2-2, 20-2-32, 20-2-70, 20-2-72, 20-2-73, 20-2-75, 20-2-76, 20-2-72, 20-2-73, 20-2-75, 20-2-76, 20-2-77, 20-2-80, 20-2-81 and 20-2-93, uniform controlled substances act, incorporation in criminal code, penalties conform to criminal, counterfeit drugs regulated—
SB 529, pages 345, 551, 742
- Sections 20-2-80, 20-2-81 and 20-2-93, controlled substances, trafficking in, penalties increased, separate crimes, established—
SB 424, pages 209, 400, 481
- Sections 22-2-4 and 22-2-10, state committee of public health, payment of per diem and mileage, altered—
SB 26, pages 9, 299, 431, 1004, 1371, 1425
SB 322, page 98
HB 70, pages 308, 413, 732, 1886, 1897
- Sections 22-3-1 and 22-3-2, county boards of health, composition, duties, altered—
SB 570, page 391
- Section 22-4-2, health care facility, definition altered—
SB 514, page 315
- Section 22-20-3, sickle cell anemia, susceptible infants tested at birth—
SB 211, pages 53, 414, 468, 766, 1346, 1399
- Section 22-21-260, abortion and reproductive health centers, certificate of need required—
SB 182, page 47
- Section 22-21-263, certificate of need, 2 year moratorium, imposed—
SB 635, page 615
HB 722, pages 704, 1758, 1767
- Section 22-21-271, state health planning and development agency, certificate of need application fees, paid into state agency fund—
SB 342, pages 102, 233, 263
- Section 22-22A-6, environmental management commission, membership increased—
SB 59, page 15
- Sections 22-30-4 and 22-30-18, hazardous waste storage facilities and disposal sites, department of environmental management to monitor—
HB 280, pages 515, 751, 963, 1886, 1888, 1890, 1903, 1916, Act no. 85-751
- Section 22-50-22, mental health board, superintendent and physicians, depositions permitted in civil and criminal cases—
SB 83, pages 19, 81, 151, 178, 220, 270, 893, 1254, 1257

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 22-52-14, attorneys, fees for representing indigent persons in commitment hearings, altered—
SB 572, page 391
- Section 23-1-6, highways, advertising on state right-of-way, regulated—
SB 234, pages 61, 415, 481, 944
- Sections 23-1-21.1 and 23-1-21.2, highway director, authorized to administer public transportation programs—
SB 620, page 559
HB 627, pages 506, 881, 1113, 1886, 1893, 1893, 1895, 1897, 1916, Act no. 85-753
- Sections 24-1A-1 and 24-1A-2, Alabama housing finance authority, legislative intent expressed regarding senior citizens—
SB 139, pages 28, 177, 803, 1086
SB 566, pages 390, 870
- Section 25-3-4, labor, procedures for settlement of wage claim protests by commissioner of department of labor—
SB 61, pages 15, 145, 179, 218, 749, 756
- Section 25-4-54, unemployment compensation, emergency employer surcharge and termination of employee contribution, defined—
SB 714, page 1082
- Section 25-5-1, workmen's compensation law, title and references changed to Alabama workers' compensation law—
SB 394, pages 163, 237
HB 475, pages 308, 405, 903
- Section 25-5-77, workmen's compensation, injured worker entitled to physician's treatment and choice of physician—
SB 500, pages 294, 408, 457
- Sections 25-8-4, 25-8-8 and 25-8-16, child labor law, hours regulated—
SB 365, pages 133, 236, 429, 776, 804, 888, 929, 947
HB 86, page 1418
- Sections 25-9-2, 25-9-7, 25-9-8, 25-9-9, 25-9-10, 25-9-12, 25-9-14, 25-9-15, 25-9-17, 25-9-18, 25-9-20, 25-9-24, 25-9-27, 25-9-29, 25-9-35, 25-9-40, 25-9-60, 25-9-61, 25-9-80, 25-9-82, 25-9-83, 25-9-84, 25-9-88, 25-9-89, 25-9-90, 25-9-110, 25-9-111, 25-9-131, 25-9-150, 25-9-152, 25-9-171, 25-9-174, 25-9-191, 25-9-191, 25-9-21, 25-9-230, 25-9-231, 25-9-250, 25-9-251, 25-9-252, 25-9-271, 25-9-272, 25-9-361, and 25-9-365, coal mine safety, provided further—
SB 299, pages 92, 407, 682
- Section 26-7-2, funds owed to mental incompetents payable to judge of probate—
SB 22, pages 8, 233, 262
- Sections 26-15-2, 26-15-3, and 26-16-2, child abuse, definitions expanded to include sexual abuse and exploitation, penalties—
SB 540, pages 348, 555, 598, 946
HB 942, page 1365

CODE OF ALABAMA, 1975, AMENDED (Continued)

Sections 26-16-3 and 26-16-30, child abuse and neglect prevention board, children's trust fund, duties, staff, compensation, regulated—

SB 334, pages 100, 679

SB 547, pages 349, 413, 598, 1340

HB 928, pages 1243, 1515, 1667, 1668, 1793, 1793, 1848, Act no. 85-698

Section 26-16-31, children's trust fund, amount donated to from income tax refund, altered—

SB 341, page 101

SB 546, pages 349, 413, 598, 1340

HB 927, pages 1243, 1698, 1763

Section 27-1-18, insurance, hospital or medical, certain services of clinical mental health counselors included in contract—

SB 383, page 161

Section 27-2-31, insurance commissioner, authorized to levy civil penalty for violations—

SB 216, page 59

Section 27-3-27, insurance salesmen, continuing education program, minimum requirements, established—

SB 77, pages 18, 680

Section 27-4-2, insurance regulatory trust fund, established, license fees increased—

SB 283, pages 89, 149, 263, 565, 749, 755

SB 330, page 99

Sections 27-10-20, 27-10-22, 27-10-24, 27-10-26, 27-10-31, and 27-10-35, surplus line insurance, companies and policies, further regulated—

SB 239, pages 62, 149, 241, 939

Section 27-29-3, insurance, acquisitions and mergers of domestic insurance companies, regulated—

SB 91, pages 20, 295, 424, 733, 967, 975, 1004

Sections 27-38-1, 27-38-5, and 27-38-6, insurance, clarifies language and intent in certain variable life and annuity contracts—

SB 173, pages 46, 69, 77

Sections 27-40-1, 27-40-8, 27-40-9, 27-40-10, and 27-40-12, insurance premium finance companies, regulated—

HB 878, pages 1246, 1518

Sections 27-40-9 and 27-40-10, insurance companies, service charges increased—

SB 488, page 291

Section 27-41-14, African development bank, insurance companies authorized to invest in—

SB 291, pages 91, 149, 179, 939, 1329

Section 28-3A-3, alcoholic beverage licensing code, altered—

SB 286, pages 89, 172, 217, 262, 280, 323, 330, 1487, 1681, 1816, Act no. 85-547

Section 28-3A-23, beer, maximum size of containers, increased—

SB 490, page 292

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 29-1-19.1, legislature, parking areas under legislative control—
SB 121, pages 25, 177, 284, 365, 416, 511, 537, 1448, 1464, 1527,
Act no. 85-525
- Section 29-5-7, legislative fiscal office, duties, altered—
HB 724, pages 848, 1520
- Section 29-7-4, legislative reference service, director, employment of
personnel, regulated—
SB 130, pages 26, 70, 77, 118, 139, 180, 201, 1276, 1357, Act no.
85-499
- Section 30-1-7, former probate judges, authorized to perform marriage
ceremony—
HB 269, pages 497, 727
- Section 30-3-60, child support, definition of income, altered—
SB 385, page 162
- Sections 30-3-60, 30-3-61, 30-3-62, 30-3-63, 30-3-64, 30-3-65, 30-3-66,
30-3-67, 30-3-68, and 30-3-69, child support, salary withholding
regulated, procedure—
SB 251, pages 64, 238, 431
- Section 31-5-3, veterans' affairs board—
SB 115, pages 24, 122, 180, 361, 417, 454, 565, 801, 1087, 1127
SB 467, pages 288, 404, 599
- Sections 31-6-2, 31-6-4, 31-6-5, and 31-6-6, G. I. and dependents edu-
cational benefit act—
SB 441, pages 247, 416, 599
HB 64, pages 957, 1759, 1769, 1886, 1899, 1918, Act no. 85-758
- Sections 31-9-2, 31-9-3, 31-9-4, 31-9-6, 31-9-7, 31-9-8, 31-9-9, 31-9-10,
31-9-11, 31-9-14, 31-9-16, 31-9-17, 31-9-18, 31-9-20, 31-9-21, 31-9-
22, and 31-9-24, emergency management act—
SB 5, pages 5, 174, 240
- Section 32-1-1.1, volunteer fire departments, vehicles authorized to use
sirens and lights—
SB 486, pages 291, 411, 592, 734, 968, 1009, 1010
- Sections 32-3-41 and 37-4-23, transportation companies with certain
gross receipts, required to pay inspection and supervision fees quar-
terly—
SB 712, page 1082
- Section 32-5-17, motor vehicle, casting light from at night, hours pro-
hibited, altered—
SB 278, pages 88, 145, 220
HB 466, pages 510, 962, 1111
- Section 32-5-192, driving under influence, chemical test includes con-
trolled substances—
SB 58, page 15
- Section 32-5-240, headlights, required to be on during fog and rain—
SB 20, pages 8, 147, 262
- Section 32-6-4, licenses, driver's license issued to senior citizens, fee
decreased—
SB 465, pages 288, 326, 369

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 32-6-15, driver's license, duplicate, fees increased—
SB 476, pages 290, 406, 1280
- Section 32-6-130, disabled veterans, certain ones to qualify for distinctive license plates—
SB 700, page 864
- Section 32-6-150, Troy state university, commemorative tags—
SB 144, pages 29, 147, 185
HB 87, pages 505, 544, 599, 768, 804, 844, 913, Act no. 85-411
- Section 32-6-170, rescue squads, required for eligibility for distinctive license plates, altered—
SB 610, pages 557, 722, 1277
- Section 32-6-250, prisoners of war, medal of honor distinctive tags, surviving spouses entitled—
SB 90, pages 20, 122, 217, 360, 804
SB 205, pages 52, 122, 218
- Section 32-6-254, prisoners of war, authorized to retain distinctive license plates—
SB 200, pages 52, 122, 217
- Sections 32-6-271, 32-6-272, and 32-6-274, firemen, license plates, issuance of, for each automobile—
SB 368, pages 133, 882, 945
- Section 32-6-272, firemen, distinctive license plates, additional fee eliminated—
SB 401, page 165
- Section 32-7-23, uninsured motorist coverage, minimum established—
SB 449, page 250
- Section 32-8-2, motor vehicles, uniform certificate of title, definition altered—
SB 175, pages 46, 147, 284, 367
- Sections 32-8-38 and 32-8-41, uniform certificate of title and antitheft act—
HB 163, pages 166, 297, 645, 1836, 1858, 1922, 1923, 1924, 1926, 1927, Act no. 85-705
- Sections 32-8-39, and 32-8-44, motor vehicles, certificate of title modified—
SB 596, page 461
- Section 32-8-87, uniform certificate of title and antitheft act—
SB 672, pages 715, 869, 1280, 1290, 1290, 1400, 1930, 1955, 1959, Act no. 85-650
- Section 32-9-31, motor vehicles, measuring and weighing by peace officers, regulated—
SB 233, pages 61, 410
- Section 32-10-6, motor vehicles, new penalties for leaving the scene of an accident—
SB 316, pages 97, 402, 469, 707, 749, 751

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 32-12-22, motor vehicles, motor-driven cycle operators, licensed after demonstrating competent operation—
HB 34, pages 1419, 1746, 1760, 1922, 1923, 1924, 1925, 1927, 1939, 1941, 1955
- Section 32-23-94, state board of pharmacy—
HB 196, pages 1415, 1758, 1765
- Sections 34-9-1, 34-9-9, 34-9-11, 34-9-17, 34-9-18, 34-9-22, 34-9-25, 34-9-26, and 34-9-27, dentistry, practice of, by dentists and dental hygienists, further regulated—
SB 33, pages 10, 300, 369, 908, 1257, 1370, 1424
HB 95, pages 514, 553, 645, 933, 1302, 1815, 1847, Act no. 85-697
- Section 34-9-19, dentists, advertising, regulated—
SB 34, pages 10, 300, 369
- Section 34-9-40, board of dental examiners, one dental hygienist added—
SB 103, page 22
SB 431, pages 229, 266, 323
- Sections 34-13-1, 34-13-50, 34-13-55, 34-13-57, 34-13-70, 34-13-72, 34-13-90, 34-13-130, and 34-13-132, board of funeral services, educational requirements, reinstatement of license, apprenticeships further provided for—
SB 1, page 4
- Sections 34-14-3, 34-14-6, and 34-14-7, board of hearing aid dealers, sunset law review, modified, fees increased—
HB 159, pages 487, 547, 597, 612, 621, 643, Act no. 85-337
- Sections 34-20-2, 34-20-9, and 34-20-13, nursing home administrative board fees, increased—
SB 574, pages 392, 963
- Section 34-20-11, board of examiners of nursing home administrators, sunset law review, continued—
HB 149, pages 331, 405, 512, 562, 564, 570, Act no. 85-283
- Section 34-23-2, pharmacy, declared to be learned profession—
SB 167, pages 45, 553, 631, 767, 803, 1087, 1127, 1130
- Sections 34-23-30, 34-23-32, and 34-23-52, pharmacists, license fee, increased—
HB 194, pages 467, 548, 596, 945, 955, 1370, 1424, 1521, 1802, 1848, Act no. 85-702
- Section 34-23-70, prescription drugs, pharmacies authorized to accept certain uncontaminated drugs for return—
SB 562, pages 390, 963
- Sections 34-24-53 and 34-24-54, board of medical examiners and medical licensure commission, sunset law review, modified, litigation fund established, disposition of funds, membership compensation—
HB 164, pages 487, 547, 597, 612, 622, 643, Act no. 85-338
- Sections 34-24-140, 34-24-141, 34-24-161, and 34-24-162, board of chiropractic examiners, sunset law review, continued—
HB 155, pages 506, 546, 597, 607, 618, 795, 1753, 1805, Act no. 85-613

CODE OF ALABAMA, 1975, AMENDED (Continued)

Sections 34-24-192, 34-24-193, 34-24-194, and 34-24-215, board of physical therapy, sunset law review, modified—

HB 154, pages 487, 546, 597, 606, 618, 642, Act no. 85-334

Sections 34-24-253, 34-24-255, 34-24-257, 34-24-271, 34-24-272, and 34-24-275, board of podiatry, sunset law review, modified—

HB 157, pages 508, 546, 597, 611, 620, 750, 754, Act no. 85-359

Sections 34-26-22, 34-26-43, and 34-26-43.1, board of examiners in psychology, fees increased—

SB 459, pages 287, 413, 896, 1330, 1330

Section 34-26-42, psychology, unauthorized practice, prohibited—

SB 458, page 287

Section 34-27-2, 34-27-3, 34-27-4, 34-27-5, 34-27-6, 34-27-7, 34-27-8, 34-27-10, 34-27-11, 34-27-30, 34-27-31, 34-27-32, 34-27-33, 34-27-34, 34-27-35, 34-27-36, 34-27-37, 34-27-38, 34-27-50, 34-27-51, 34-27-52, 34-27-57, 34-27-58, 34-27-60, 34-27-61, 34-27-62, 34-27-63, 34-27-64, 34-27-66, 34-27-67, and 34-27-68, real estate commission, regulated further—

SB 80, pages 18, 704, 723, 1280

HB 327, pages 306, 414, 1260, 1837, 1863, 1915, Act no. 85-750

Sections 34-28A-24 and 34-28A-27, board of examiners for speech pathology, sunset law review, modified—

HB 148, pages 331, 405, 512, 561, 562, 753, 754, Act no. 85-361

Section 34-29-44, board of veterinary medical examiners, sunset law review modified, citizenship requirements, regulated—

HB 158, pages 487, 547, 597, 612, 621, 642, Act no. 85-336

Sections 35-8-7, 35-8-9, and 35-8-10, condominium owners, certain voting rights adjusted, manner of recording—

SB 277, page 88

Section 35-10-8, foreclosure sale, notice of, counties with no newspaper—

HB 467, pages 305, 551

Section 36-1-7, employees suggestion award program, provided further—

SB 491, pages 292, 397, 592

Section 36-7-40, state employees, reimbursement for moving expenses—

SB 327, page 99

HB 204, pages 1418, 1680, 1760

Section 36-9-2, public officers and employees, convicted of a felony must vacate office or position they hold—

SB 310, pages 94, 400, 911

Section 36-13-12, widow of governor, pension provided—

SB 701, page 864

Section 36-15-10, attorney general, executive assistant, salary, altered—

SB 704, pages 865, 964

Section 36-16-8, state property, inventory of, provided further—

SB 511, pages 314, 410, 592, 764, 804, 846, 1107, 1132, 1247, 1799, 1800, 1902, 1919, 1958, Act no. 85-665

SB 565, pages 390, 545, 1116

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Sections 36-16-8 and 36-16-11, state property, inventory of, provided further—
SB 184, pages 47, 70, 131
- Section 36-19-3, fire marshals, chiefs-of-police, and mayors of incorporated municipalities deleted as assistant fire marshals—
SB 174, pages 46, 69, 150, 801, 1086
- Sections 36-20-3 and 36-20-31, notaries public, bonds increased—
SB 45, pages 13, 631
- Section 36-21-2, district attorneys, investigators for, subsistence allowance—
SB 178, page 46
SB 658, pages 712, 869, 1280
SB 676, pages 716, 869
HB 542, pages 1441, 1520, 1886, 1893, 1916, 1922, 1923, 1924, 1926, 1927, Act no. 85-754
- Section 36-21-2, state law enforcement officers, subsistence allowance payable to department of corrections—
SB 250, page 64
- Sections 36-21-8, 36-30-1, and 36-30-20, industrial relations department, law enforcement officers authorized to keep badges and pistols upon retirement—
HB 489, pages 1366, 1680, 1761, 1922, 1923, 1924, 1925, 1927, 1948
- Sections 36-21-68, 36-21-71, 36-21-74, and 36-21-76, Alabama peace officers association and benefit fund—
SB 328, page 99
HB 435, pages 1437, 1520
- Sections 36-22-16, sheriffs, minimum salary set—
SB 88, pages 19, 148, 217, 360, 417, 453, 535, 565, 1239, 1275, 1357, Act no. 85-518
- Section 36-22-63, supernumerary sheriffs, program reopened—
SB 240, pages 63, 124, 217, 368, 417, 453, 565, 566, 1414, 1429, 1441, Act no. 85-637
- Section 36-26-17, state personnel department, directed to certify ten names—
SB 202, pages 52, 124, 218
HB 117, pages 309, 405, 468, 1346, 1346, 1407, Act no. 85-459
- Section 36-26-80, health department, employees, appointed authority in absence of health officer, clarified—
SB 332, pages 100, 300, 431
- Section 36-27-6, employees' retirement system—
SB 165, pages 45, 403, 977
- Section 36-27-16, retirement systems, surviving spouse benefit changed—
SB 65, pages 16, 124, 179, 219, 801, 1087, 1126
- Section 36-27-16, retirement systems, state aircraft pilots entitled to same benefits as state police officers—
SB 519, pages 315, 722

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 36-29-2, state employees' insurance board, retired members, authorized—
SB 280, pages 88, 149, 331, 367, 416, 453, 484, 1329, 1427, 1441, Act no. 85-642
SB 292, pages 91, 235, 263, 363, 365
- Section 36-30-2, firemen, disability compensation—
SB 57, pages 15, 122, 137, 216, 804, 889, 931, 947
- Section 37-2-1, transportation companies, subject to public service commission control, redefined—
SB 722, pages 1856
- Sections 37-2-41 and 37-4-23, utilities and transportation companies, pay fees quarterly—
HB 1045, pages 1437, 1759, 1767, 1886, 1895, 1917, Act no. 85-756
- Section 37-3-4, wreckers, exempt from public service commission, regulated—
SB 404, pages 165, 411, 720, 777, 804, 841
HB 606, pages 514, 881, 1886, 1911, 1940, Act no. 85-688
- Section 37-3-32, public service commission, increased funding for motor carrier operations—
SB 162, pages 44, 147, 284, 367, 749, 750, 1796, 1840, 1958, Act no. 85-653
- Section 38-2-2, pensions and security board, state employees appointed as members—
SB 195, pages 50, 172, 217, 241, 749, 756
- Section 38-2-6.1, state parent locator, revenue department to furnish information—
SB 258, pages 66, 237, 323, 934, 1327, 1399
- Section 38-4-1, welfare, 18 year old limitation, repealed—
SB 259, pages 66, 304, 377
- Sections 38-10-2, 38-10-3, 38-10-4, 38-10-5, 38-10-6, 38-10-7, 38-10-8, and 38-10-9, child support orders, operation by pensions and security department, regulated—
SB 252, pages 65, 239, 431
- Section 40-1-33, oil and gas, cloak of secrecy removed from oil and gas production reports filed with department of revenue—
SB 472, page 289
- Section 40-2-10, revenue department, law enforcement officers, powers, regulated—
SB 361, pages 132, 681, 1113
- Section 40-2-64, revenue department, assistant legal counsels, employment, regulated—
SB 355, pages 131, 235, 263, 365
- Section 40-6-3, tax assessors and collectors, supernumerary, salary increase—
SB 509, pages 314, 406, 468, 934
- Section 40-6A-2, tax assessor, tax collector, revenue commissioner, license commissioner, compensation—
SB 414, pages 207, 296, 318, 351, 416, 453, 482, 537

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 40-7-70, revenue department, authorized to pay certain qualified appraisers, mappers and tax administrators—
SB 504, pages 294, 404, 1280
- Section 40-9-12, head start programs, tax exempt—
SB 632, page 615
- Section 40-9-13, taxation, civic club charitable fund raising events, tax exempt—
SB 150, page 31
- Section 40-9-19, school tax, homestead exemption, defined—
SB 352, page 103
- Sections 40-9-19 and 40-9-21, ad valorem tax, homestead exemption for elderly, further provided—
SB 245, pages 64, 236, 305, 935
HB 514, pages 1415, 1698, 1761
- Section 40-10-133, ad valorem tax, procedures for giving notice to former owner on redemption sales for delinquent taxes—
SB 15, pages 7, 80, 151, 213, 262, 323, 337, 344
SB 403, pages 165, 400, 591
- Section 40-12-4, county commissions, authorized to tax school districts within county—
SB 677, pages 716, 869, 1327
- Section 40-12-198, common carriers, transporting gasoline, marking of vehicle, regulated—
SB 552, pages 372, 544, 599
HB 817, pages 687, 881, 1076
- Section 40-12-222, agricultural machinery, lease or rental, tax rate altered—
SB 611, page 557
- Section 40-12-240, motor vehicles, definition of, to include recreational vehicles—
SB 3, pages 5, 147, 424
- Section 40-12-248, motor vehicles, license fees, altered—
SB 85, page 19
- Section 40-12-248, recreational vehicles, license tax decreased—
SB 296, pages 91, 233, 262
- Section 40-12-248, trucks used by farmers, license tax and registration fee, exempt—
SB 108, page 23
- Sections 40-12-410, 40-12-411, 40-12-412, 40-12-413, 40-12-414, 40-12-415, 40-12-416, 40-12-418, 40-12-421, 40-12-422, and 40-12-423, motor vehicle dismantlers, two additional categories regulated, licensed—
SB 634, page 615
- Sections 40-12-410, 40-12-411, 40-12-412, 40-12-413, 40-12-414, 40-12-415, 40-12-416, 40-12-418, 40-12-419, 40-12-420, 40-12-421, 40-12-422, 40-12-423, automotive dismantlers and parts recyclers, licensing of—
HB 730, pages 958, 1759, 1769

CODE OF ALABAMA, 1975, AMENDED (Continued)

Sections 40-13-5, 40-13-6, and 40-13-8, state docks, certain coal severance tax proceeds authorized to be used to operate coal handling facilities—

HB 1023, pages 1245, 1505, 1808, 1809, 1816, 1816, 1836, 1906, 1914, Act no. 85-648

Section 40-13-8, corporations, foreign, franchise tax, exclusions for capital investment in certain counties with high unemployment—

HB 837, pages 604, 681, 731, 774, 804, 845, 914, Act no. 85-412

Section 40-14-8, corporations, tax on stock shares, additional deductions for value of certain property in certain counties with high unemployment—

HB 838, pages 604, 681, 731, 765, 845, 914, Act no. 85-413

Sections 40-17-31 and 40-17-171, oil and gas excise tax, boards of education, institute for deaf and blind, youth services department, exempt—

SB 101, page 22

Sections 40-18-6, 40-18-8, 40-18-14 and 40-18-15, income tax, alimony defined, defer recognition of gain on transfers of property incident to divorce—

SB 152, pages 31, 81, 104, 197, 221, 222

Sections 40-18-15 and 40-18-35, income tax, deductions to individuals and corporations for expenses for removal of barriers to handicapped—

SB 87, pages 19, 148, 217, 243, 261, 280, 322, 327, 344, 434, 1487, 1681, 1816, Act no. 85-545

SB 201, page 52

Section 40-18-19, retirement allowances of cities and counties, tax exemption—

SB 2, page 5

Section 40-18-19, firemen, retirement pay and pensions, tax exempt—

SB 329, page 99

Section 40-18-19, income tax, single heads of household, certain exemptions—

SB 517, page 315

Section 40-18-20, private pension plans, income tax, exempt—

SB 238, page 62

Section 40-18-100, debts owed state, set-off collection procedure—

SB 626, pages 614, 797

Sections 40-18-100 and 40-18-102, income tax, pensions and security to withhold refunds for debts—

SB 255, pages 65, 303, 430

HB 90, pages 1438, 1746, 1760

Sections 40-20-1 and 40-20-2, oil and gas production, privilege tax on—

SB 606, pages 556, 723, 801

HB 288, pages 1246, 1505, 1922, 1923, 1924, 1926, 1927

Section 40-20-5, oil and gas privilege tax, reporting date altered—

SB 399, pages 164, 410, 481

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 40-21-56, licenses and renewals for sellers of hydroelectric power, due in August of each year—
SB 485, page 291
- Section 40-21-58, telephone business, license tax, regulated—
SB 481, page 290
- Section 40-21-82.1, Ladonia-Crawford water and fire protection authority, exempt from utilities tax—
SB 72, page 17
- Section 40-21-103, utility service use tax, city and county board of education, exempt—
SB 100, page 21
- Section 40-23-1, sales tax, various definitions altered relative to sales, transfer of title—
SB 377, page 135
HB 531, pages 1416, 1698, 1761, 1923, 1925, 1927
- Section 40-23-4, athletic events, certain gross receipts, exempt—
SB 418, pages 208, 266, 424, 749, 755
HB 524, pages 686, 1505
- Section 40-23-4, sales tax, certain tools, dies, molds, and fixtures, exempt—
SB 464, page 288
- Sections 40-23-4 and 40-23-5, tax exemptions, certain blind vendors exempt from sales and use taxes and gross receipt taxes—
SB 140, pages 28, 178, 240, 261, 676, 884, 909, 1434, 1444, 1527,
Act no. 85-574
- Sections 40-23-4 and 40-23-62, oil and gas drilling equipment used in federal waters, tax exempt—
SB 400, pages 164, 397, 895, 895, 1255, 1334, 1369, 1423
- Section 40-23-7, contractors, taxes due by 15th of each month—
SB 483, page 291
- Section 40-23-7, sales tax payment of, altered—
SB 64, pages 16, 123, 217, 935, 1334, 1359
SB 183, page 47
- Section 41-1-6, state property, inventory of, altered—
SB 176, pages 46, 235, 284, 368
SB 578, pages 392, 545, 894, 1255, 1259, 1369, 1423
HB 385, pages 309, 545
- Section 41-4-60, public assistance warrants, pensions and security may void after certain time—
SB 241, page 63
SB 256, pages 66, 679
- Section 41-4-90, state agencies, proration of salaries and fringe benefits, prohibited—
SB 171, pages 45, 398, 559, 892, 1254

CODE OF ALABAMA, 1975, AMENDED (Continued)

Section 41-4-93, rehabilitation and crippled children service, reimbursements for state expenditures do not revert to state—
SB 86, pages 19, 123, 180, 220, 416, 453, 512, 1666, 1681, 1816, Act no. 85-544

Section 41-9-343, U.S.S. Alabama battleship commission, contract power limited, mandated to establish state memorial park to honor all armed conflicts—
HB 344, pages 692, 725, 976, 976, 1339, 1370, 1424, 1522, 1803, 1849, Act no. 85-703

Section 41-9-374, appropriation, dollar limit removed on state appropriation to commissioner on uniform state laws—
SB 318, pages 97, 237, 263, 894, 1255, 1299, 1349

Sections 41-9-660, 41-9-661, and 41-9-664, foreign trade commission, name and members, altered—
SB 367, page 133

Section 41-9-708, Indian affairs commission, membership to include other tribes—
HB 569, pages 1420, 1680, 1762, 1924
HB 603, pages 510, 632, 801, 1808, 1886, 1886, 1903, 1916, Act no. 85-738

Sections 41-9-780, 41-9-781, 41-9-782, 41-9-783, 41-9-786 and 41-9-787, Tennessee valley authority exhibit commission, name and membership altered—
SB 450, pages 250, 410, 599, 940, 1286, 1359, 1913, 1954, 1959, Act no. 85-655

Section 41-16-21, competitive bid law, certain hospitals, exempt—
SB 123, pages 25, 124, 218, 241, 322, 328, 337, 417, 454, 565, 856, 1087
HB 146, pages 514, 632, 682, 937, 1280, 1795, 1882, 1908, Act no. 85-689

Section 41-16-21, competitive bid law, preference given certain local contractors—
SB 50, page 14

Sections 41-16-50 and 41-16-57, competitive bid laws, regulated—
SB 68, pages 16, 69, 77, 120, 139, 157, 159, 197, 531, 543, 594, Act no. 85-281

Section 41-16-123, state property, trade-in by department of economic and community affairs, authorized—
SB 655, pages 712, 869, 1280

Section 41-19-10, budget management, state agencies and departments get approval from fiscal committee to change operations—
SB 135, pages 27, 123, 150

Sections 41-22-3, 41-22-6, 41-22-8, 41-22-11, 41-22-12, 41-22-13, 41-22-16, 41-22-20, 41-22-21, 41-22-23, 41-22-25 and 41-22-27, administrative procedure act—
HB 116, pages 693, 880

Section 44-1-38, department of youth services, juvenile court records and others, disposition of, after youth is out of jurisdiction—
SB 358, pages 132, 304, 430

CODE OF ALABAMA, 1975, AMENDED (Continued)

- Section 44-1-51, youth services board, computing payment of expenses—
SB 186, pages 48, 412
- Section 44-1-76, youth services department, district board of education, reorganized—
SB 420, pages 209, 634, 733, 940, 1320, 1360
- Sections 5-2A-120, 5-2A-121, 5-2A-122, 5-2A-123, 5-2A-124 and 5-2A-125, credit unions, regulated by Alabama credit union administration, banking department, relieved of said duties—
SB 124, pages 25, 81, 263, 366, 565, 571, 596, 941, 959, 1077, Act no. 85-457
- Section 9-11-47, hunting licenses, nonresident, fees altered—
SB 350, pages 103, 632, 741, 770
- Section 10-10-10, Alabama professional corporation act, altered—
SB 118, pages 24, 300, 373, 776
- Sections 14-8-42 and 14-8-67, work release, escape from, constitutes felony—
SB 56, pages 15, 90, 151, 216, 1333
SB 160, pages 44, 234, 387
- Sections 16-10-2, 16-10-3, 16-10-4, 16-10-5, 16-10-7, 16-10-8, 16-10-9, 16-10-10 and 16-10-11, school trustees, county, position abolished—
SB 143, pages 29, 409, 463
- Sections 18-1-2, 18-1-2, 18-1-3, 18-1-4, 18-1-5, 18-1-6, 18-1-7, 18-1-8, 18-1-9, 18-1-10, 18-1-11, 18-1-12, 18-1-13, 18-1-14, 18-1-15, 18-1-16, 18-1-17, 18-1-18, 18-1-19, 18-1-20, 18-1-21, 18-1-22, 18-1-23, 18-1-24, 18-1-25, 18-1-26, 18-1-27, 18-1-28, 18-1-29, 18-1-30, 18-1-31 and 18-1-32, Alabama eminent domain code, established, condemnation procedures, prescribed—
SB 287, pages 89, 400, 468, 768, 804, 850, 890, 1489, 1682, 1816, Act no. 85-548
- Sections 20-2-70, 20-2-73, 20-2-75, 20-2-76 and 20-2-77, uniform controlled substances act, incorporation in criminal code, penalties conform to criminal code, counterfeit drugs, regulated—
SB 529, pages 345, 551, 742
- Section 20-2-75, drugs, unlawful to engage in certain activities, relating to "drug related object"—
SB 293, pages 91, 400, 591
- Sections 22-30-5 and 22-30-7, hazardous waste storage facilities and disposal sites, department of environmental management to monitor—
HB 280, pages 515, 963, 1886, 1888, 1890, 1903, 1916, Act no. 85-751
- Sections 22-20A-1, 22-20A-2 and 22-20A-3, alcoholism, drug abuse, treatment of, minimum insurance provided—
SB 14, pages 7, 409, 468, 765, 804, 847, 920
- Section 32-8-48, uniform certificate of title and antitheft act, redefined, chop shops prohibited—
SB 672, pages 715, 869, 1280, 1290, 1290, 1400, 1930, 1955, 1959, Act no. 85-650

CODE OF ALABAMA, 1975, AMENDED (Continued)

Sections 34-29-1, 34-29-2, 34-29-3, 34-29-4, 34-29-5, 34-29-6, 34-29-20, 34-29-21, 34-29-22, 34-29-23, 34-29-40, 34-29-41, 34-29-42, 34-29-43, 34-29-44, 34-29-45 and 34-29-46, Alabama state board of veterinary medicine, established, practice regulated—

SB 497, page 293

HB 877, page 1435

Sections 41-9-639 and 41-9-641, criminal justice information center, regulated—

SB 556, pages 389, 545, 743

COLLEGES AND UNIVERSITIES

Alabama A & M university, board of trustees, meetings, quorum altered—
HB 521, pages 699, 1759, 1769

Auburn university police, powers altered—

SB 637, pages 628, 882, 950, 1333, 1333, 1435, 1444, 1527, Act no. 85-632

HB 906, pages 1095, 1509, 1826, 1861, Act no. 85-727

Boards of trustees at certain state colleges, additional members authorized—

SB 137, page 27

City boards of education, include municipalities in which colleges are located—

HB 28, pages 306, 552, 1137, 1922, 1923, 1924, 1926, 1927, 1951

Commission on two-year college high technology education, established—

SB 582, pages 394, 634, 720, 773, 804, 889, 931

Educational employees, boards of education and colleges and universities, required to pay employees minimum wages—

SB 84, pages 19, 236, 263

Educational employees, payroll deduction authorized for certain retirement accounts—

SB 575, page 392

Educational personnel, governing body required to grant release time to fulfill professional development requirements—

SB 324, pages 98, 236, 304

Educational personnel, granted professional leave to attend certain meetings—

SB 237, pages 62, 174, 241, 369, 370, 383, 426

Educational personnel, records regulated according to federal guidelines—

SB 109, pages 23, 325, 435

Eminent scholars, Alabama trust fund for, established, appropriation—

SB 169, pages 45, 177

HB 115, pages 684, 1085, 1886, 1897, 1909, 1918, Act no. 85-759

Higher education, Alabama commission on, authorized to publish teachers' salaries—

SB 223, pages 60, 634, 733, 856, 976, 1087

Junior college, certain teachers authorized to purchase retirement in teachers' retirement system—

SB 462, pages 287, 399, 616, 936

COLLEGES AND UNIVERSITIES (Continued)

Marion military institute, appropriation—

SB 197, pages 51, 399, 481

HB 462, pages 689, 1506, 1537, 1643, 1655, 1659, 1806, 1847

Municipalities, included in which colleges are located—

HB 28, pages 306, 552, 1137, 1922, 1923, 1924, 1926, 1927, 1951

Professors, sex and salary of, required to be published—

SB 106, page 22

Public school and college authority, authorized to issue bonds for certain educational purposes—

SB 650, page 711

Talladega college, appropriation—

SB 206, pages 52, 399, 1280

HB 452, pages 689, 1506, 1537, 1643, 1655, 1661, 1805, 1847

Teachers, mandatory retirement, exceptions on year by year basis provided—

SB 95, pages 20, 78, 217, 361, 630

SB 198, page 51

HR 297, pages 121, 212, 228, 260, 322, 323, 327, 332, Act no. 85-208

Troy state university, commemorative motor vehicle tags, authorized—

SB 144, pages 29, 147, 185

HB 87, pages 505, 544, 599, 768, 804, 844, 913, Act no. 85-411

Tuskegee institute, appropriation—

SB 209, pages 53, 399, 454

HB 471, pages 692, 1506, 1537, 1643, 1655, 1660, 1806, 1847

Walker county junior college, appropriation—

SB 221, pages 59, 399

HB 361, pages 590, 1506, 1537, 1643, 1654, 1656, 1806, 1847

COMMON CARRIERS

Airports, landing fee on aircraft that do not offer discounts on flights originating in Alabama, authorized—

SB 645, page 630

Gasoline, common carriers of, markings of vehicle regulated—

SB 552, pages 372, 544, 599

HB 817, pages 687, 881, 1076

Railroad companies, authorized to test certain employees for drug and alcohol abuse—

SB 525, pages 344, 881, 1116

Rapid rail transit commission transferred from economic and community affairs department to highway department—

SB 353, pages 104, 412, 599

Transportation companies with certain gross receipts, required to pay inspection and supervision fees quarterly—

SB 712, page 1082

HB 1045, pages 1437, 1759, 1767, 1886, 1895, 1917, Act no. 85-756

COMMUNITY ACTION AGENCIES

Provided further—

HB 764, pages 1418, 1680, 1762

COMPACTS

Interstate compact on juveniles, additional remedies provided, juvenile requisitioned from other state when violating any criminal law—
SB 189, pages 48, 303, 800, 938

Interstate corrections compact, adopted—

SB 440, page 247,

SB 470, pages 289, 404, 591

HB 667, pages 1091, 1520, 1837, 1865, 1916, Act no. 85-752

COMPENSATION

Attorney general, executive assistant, salary altered—

SB 704, pages 865, 964

Career ladder, "Alabama performance based career incentive program act", incentive-based pay plan for teachers—

SB 126, page 25

HB 544, pages 426, 680, 800, 913, 917, 1371, 1401, 1405, 1420, 1421, 1426, 1429, 1430, 1441, 1442, 1444, 1445, 1446, 1448, 1465, 1466, 1467, 1468, 1469, 1484, 1485, 1486, 1523, 1527, 1529, 1678, 1788, 1788, Act no. 85-541

Legislative compensation commission, established, CA—

SB 370, pages 133, 265, 318, 945

Legislative compensation commission, established, membership, terms—

SB 282, pages 88, 235, 613

COMPETITIVE BIDS

Bid law, state hospitals exempt—

SB 123, pages 25, 124, 218, 241, 322, 328, 337, 417, 454, 565, 856, 1087

HB 146, pages 514, 632, 682, 937, 1280, 1795, 1882, 1908, Act no. 85-689

Lease or purchase of materials or supplies, amount where bids required increased, certain provisions regarding government bodies removed—

SB 68, pages 16, 69, 77, 120, 139, 157, 159, 197, 531, 543, 594, Act no. 85-281

Materials used on a contract obtained from a supplier with a competitive bid contract, exempt from use and sales tax—

SB 598, page 461

Preference given certain local contractors—

SB 50, page 14

Workmen's compensation, every state agency to provide, through department of finance for each state employee on pro rata basis—

SB 715, page 1083

COMPUTERS

Crimes regarding, penalties provided—

SB 62, pages 16, 124, 154, 218, 261, 278, 284, 745, 792, 860, Act no. 85-383

HB 285, pages 306, 680

CONCEALED WEAPONS

Industrial relations department, law enforcement officers, authorized to keep badges and pistols upon retirement—

HB 489, pages 1366, 1680, 1761, 1922, 1923, 1924, 1925, 1927, 1948

Pistol permits, district attorneys, supernumerary district attorneys, and assistant district attorneys, excused from obtaining pistol permit—

SB 549, pages 349, 725, 1113

U. S. law enforcement officials, retired, exempt from pistol permit—

SB 105, page 22

CONDOMINIUMS

Owners, certain voting rights adjusted, manner of recording—

SB 277, page 88

CONSERVATION AND NATURAL RESOURCES DEPARTMENT

Appropriation made from state lands funds for fiscal year beginning

October 1, 1985—

SB 284, page 89

SB 433, page 229

SB 453, pages 286, 326, 369, 769, 804, 852, 1947, 1954, 1959, Act no. 85-651

Cahaba river, environmental protection, solid wastes, pollution and mining regulated, penalties—

SB 92, pages 20, 543

HB 252, pages 507, 632

Daylight hours, defined for purposes of hunting—

SB 474, pages 289, 407, 468

Fish, game and wildlife, importing game into state, regulated—

SB 688, pages 788, 961

Fishing with gill or trammel nets in fresh water, may be regulated by department of conservation and natural resources upon request of local legislation—

SB 301, pages 92, 145, 650

Game and fish, hunters and catchers may donate parts of game animals to nonprofit corporations without penalty—

SB 661, pages 713, 961

Hunter education, department to implement—

SB 595, pages 460, 961, 1113

Hunting licenses, nonresident, fees altered—

SB 350, pages 103, 632, 741, 770

Hunting rights of certain persons on property where resident game protection program is operating, protected—

SB 288, pages 90, 296

CONSERVATION AND NATURAL RESOURCES
DEPARTMENT (Continued)

- Oysters, sacking and tagging of, for commercial purposes regulated, penalties—
 - SB 356, page 131
 - HB 451, pages 690, 962
- Scenic rivers system act, established, protection of waterways—
 - SB 295, page 91
- State land resources information center established within lands division of—
 - HB 273, pages 494, 725, 896
- State park revolving fund, portion of receipts pledged for certain uses—
 - SB 232, pages 61, 145, 430, 766, 1334
 - HB 342, page 534
- State parks, concession contracts, term extended—
 - SB 231, pages 61, 145, 430

CONSTITUTIONAL AMENDMENTS

- Alabama trust fund, additional members for board of trustees—
 - SB 554, pages 372, 550, 616, 777, 1323, 1400
- Catfish, promotion of—
 - SB 567, pages 390, 633, 732
- Counties, laws expending county fund do not become effective until next fiscal year, exceptions—
 - SB 148, pages 30, 298, 425
- Forest fire assessment, distribution for fire protection—
 - SB 18, pages 7, 70, 131, 213, 261, 281
 - HB 59, pages 1363, 1759, 1769, 1922, 1923, 1924, 1926, 1927, 1950
- Forest lands, finance charge assessed upon, for fire protection programs—
 - SB 17, pages 7, 70, 131, 213, 213, 261, 280
 - HB 60, pages 1365, 1759, 1767, 1922, 1923, 1924, 1926, 1927, 1950
- Judicial appellate nominating commission established, authorized to nominate to governor, appointees to all appellate judge positions—
 - SB 564, page 390
- Legislative compensation commission, established—
 - SB 282, pages 88, 235, 613
- Legislative compensation commission, established, CA—
 - SB 370, pages 133, 265, 318, 945
- Revenue raising bills, two-thirds vote required—
 - SB 648, page 630
- Road construction and repair, trust fund created for, oil lease moneys appropriated, bonds issued and proceeds distributed—
 - SB 6, page 5
- Taxation and debt limit altered—
 - SB 180, pages 47, 265, 373
- Wheat and feed grains, promotion of production, distribution, marketing, use and improvement and sale provided for—
 - SB 104, pages 22, 71, 77
 - HB 88, pages 467, 961, 1113, 1114, 1426, 1523, 1807, 1808, 1849, Act no. 85-575

CONSUMERS

Credit, reporting agencies required to furnish individuals copies of their credit reports—

SB 571, pages 391, 548, 596

Time period when credit reporting agencies may give out information limited—

SB 138, page 28

CONTRACTORS

Civil action against builders under supervision of architect or engineer constructing improvement on or to real property, in tort or otherwise, statute of limitations, retroactive effect—

SB 471, page 289

HB 587, page 1419

Contractors, taxes due by 15th of each month—

SB 483, page 291

Electrical contractors, board of, established, regulations—

HB 577, pages 1415, 1703, 1762

Materials used on a competitive bid contract obtained from a supplier with a competitive bid contract, exempt from use and sales tax—

SB 598, page 461

Registration of out of state contractors—

SB 213, pages 54, 237, 369

Toxic substances, contractors liability, list established, council created to administer—

SB 435, pages 229, 266, 304, 381, 416, 453, 516, 656, 675, 1865, 1899, 1958, Act no. 85-658

CONTRACTS

Competitive bid law, lease or purchase of materials or supplies, amount where bids required increased, certain provisions regarding government bodies removed—

SB 68, pages 16, 69, 77, 120, 139, 157, 159, 197, 531, 543, 594, Act no. 85-281

Corrections department, authorized to contract with private industry—

SB 469, pages 288, 405, 591

Hospitals operated by state, exempt from competitive bid law—

SB 123, pages 25, 124, 218, 241, 322, 328, 337, 417, 454, 565, 856, 1087

HB 146, pages 514, 632, 682, 937, 1280, 1795, 1882, 1908, Act no. 85-689

Pre-need burial contracts, sale of, regulated—

SB 359, page 132

Sales representatives and principals, agreements involving commissions, written contract required—

SB 29, pages 9, 323, 380, 423, 565, 570, 1488, 1681, 1816, Act no. 85-543

State parks, concession contracts, term extended—

SB 231, pages 61, 145, 430

CONVEYANCES

- Real property, sales contracts between industrial development boards and foreign developers and investors to have three-year conditional buy-back agreement—
SB 631, page 615

CORPORATIONS

- Business corporation act, procedure to amend articles of incorporation altered—
SB 376, pages 135, 236, 304
- Competitive export corporation established, powers and duties—
SB 346, pages 102, 415, 469, 771, 803, 831, 889
- Corporate income tax, reformed regarding timely mailing, determination of basis, S corporations, recognition of gains, corporation distribution, filing deadline, charitable contributions, corporation deductions, net operating loss deduction installment sales—
SB 568, page 391
HB 669, pages 848, 960, 1113, 1331, 1331, 1407, Act no. 85-515
- Foreign, franchise tax, exclusions for capital investment in certain countries with high employment—
HB 837, pages 604, 681, 731, 774, 804, 845, 914, Act no. 85-412
- Income tax deductions for corporations, allowed same as individuals for donations to state of Alabama, charities and educational institutions—
SB 423, pages 209, 398, 591, 707, 895, 1255, 1263
- Income tax laws revised regarding timely mailing, basis, subchapter S corporations, extensions, exemptions for charities, net operating losses, installment sales—
SB 568, page 391
HB 669, pages 848, 960, 1113, 1331, 1331, 1407, Act no. 85-515
- Nonprofit corporation act, definition of membership to include domestic and foreign corporation—
SB 60, pages 15, 121, 137, 216, 416, 453, 533
- Professional corporation act, altered—
SB 118, pages 24, 300, 373, 776
- Sales representatives and principals, agreements involving commissions, written contract required—
SB 29, pages 9, 323, 380, 423, 565, 570, 1488, 1681, 1816, Act no. 85-543
- State agencies, costs of defending against by small business and individuals payable from agency funds—
SB 82, pages 19, 124
- Tax credit for child day care centers—
SB 495, page 293
- Tax on stock shares, additional deductions for value of certain property in certain counties with high unemployment—
HB 838, pages 604, 681, 731, 765, 845, 914, Act no. 85-413

CORRECTIONS DEPARTMENT

Agricultural revolving fund, established—

SB 478, pages 290, 407, 591, 1114, 1426

Authorized to contract with private industry—

SB 469, pages 288, 405, 591

Capital punishment, designate locations for executions—

SB 466, pages 288, 404, 591

Commissioner, appointment from merit system—

SB 452, pages 286, 326, 369

Corrections institution finance authority, sale of bonds regulated, term—

HB 450, pages 264, 326, 429, 945, 955, 1370, 1424, 1522, 1802, 1849

Fund increased—

SB 468, pages 288, 550, 616

Interstate corrections compact, adopted—

SB 440, page 247

SB 470, pages 289, 404, 591

HB 667, pages 1091, 1520, 1837, 1965, 1916, Act no. 85-752

Reporting of violations in prisons altered—

SB 477, pages 290, 401, 591, 944, 1114, 1426

State law enforcement officers, subsistence allowance payable to—

SB 250, page 64

COST-OF-LIVING RAISE

Retired hospital workers, cost-of-living increase by counties, authorized—

SB 319, pages 98, 295, 369

State employees, retired, increase—

SB 212, pages 53, 123, 150, 241, 323, 342, 1434, 1444, 1527, Act no. 85-631

SB 312, pages 94, 148, 218

HB 416, pages 1413, 1521, 1922, 1923, 1924, 1926, 1927

COTTON TEXTILE WORKERS LUNG DISEASE

Workmen's compensation law, includes benefits for—

SB 149, pages 31, 408, 456

COUNTIES

Alcoholic beverage licensing code, certain licenses may be renewed where dry county or dry municipality was wet when original license issued—

SB 286, pages 89, 172, 217, 262, 280, 323, 330, 1487, 1681, 1816, Act no. 85-547

Alcoholic beverage, transportation of wine, further provided—

SB 279, pages 88, 172, 304, 362

Bonds, counties and municipalities, sale of, altered—

SB 63, pages 16, 398, 591

SB 523, page 316

Community action agencies, provided further—

HB 764, pages 1418, 1680, 1762

COUNTIES (Continued)

Competitive bid law, lease or purchase of materials or supplies, amount where bids requirements increased, certain provisions regarding government bodies removed—

SB 68, pages 16, 69, 77, 120, 139, 157, 159, 197, 531, 543, 594, Act no. 85-281

Competitive bid law, preference given certain local contractors—

SB 50, page 14

Elections, certain ones validated regarding special county and municipal taxes—

SB 294, pages 91, 298, 425

Employees, retired, insurance coverage authorized—

SB 494, pages 293, 404, 599

Firemen trained by one government entity who becomes employed by another within certain time, training entity entitled to compensation—

SB 333, page 100

Flood control authority, may be established by county governing bodies, to receive grants—

SB 647, pages 630, 879, 956

HB 1037, pages 1436, 1758, 1765, 1922, 1923, 1924, 1926, 1927

Game and fish, county license fees for nonresident fishing licenses increased, distribution—

SB 8, pages 6, 71, 220, 240, 749, 756, 761

Industrial development boards, a county officer or employee may serve as director rather than judge of probate—

HB 578, page 957

Judicial officers and employees, compensation paid by counties shall be paid instead by state, phase-in period—

SB 147, page 30

Laws expending county fund do not become effective until next fiscal year, exception, CA,—

SB 148, pages 30, 298, 425

Local government capital improvement fund established, distribution of certain oil and gas revenues—

SB 439, page 247

SB 505, pages 313, 397, 481

HB 649, pages 688, 724, 1837, 1837, 1841, 1843, 1845, 1847, 1849

Municipal-county port authorities, certain public entities may give financial aid to—

SB 374, pages 134, 235, 304, 1004, 1371, 1425

Municipalities and counties, regulation of private “for hire” motor vehicles—

SB 630, pages 614, 881, 1233

Municipalities located in two counties, annexation procedure for certain territory, regulated—

SB 686, page 788

COUNTIES (Continued)

Probate judges, placed on annual salary, paid out of county general fund—

HB 951, pages 1412, 1680, 1764

Public libraries, regulated further—

SB 583, page 458

Retired hospital workers, cost-of-living increase by counties authorized—

SB 319, pages 98, 295, 369

Retirement allowances of cities and counties, tax exemption—

SB 2, page 5

Retirement systems, certain members authorized to purchase credit for service as a county employee—

SB 300, pages 92, 549, 613

Supplemental appropriation for expenses of state prisoners housed in county jails—

SB 214, pages 54, 148, 218

Water pollution control grant fund created, Alabama department of environmental management to make grants for purposes of constructing sewage treatment facilities—

HB 590, pages 590, 964, 1111, 1886, 1888, 1916, Act no. 85-755

COUNTY COMMISSIONS

Authorized to set its own day and time of meetings—

SB 36, pages 10, 405, 599

Authorized to tax school districts within county—

SB 677, pages 716, 869, 1327

Counties and municipalities, sale of bonds, procedure altered—

SB 63, pages 16, 398, 591

SB 523, page 316

Elections, alternative place of holding, designated by county commission—

HB 456, pages 1365, 1680, 1761

Highways, state and local agencies prohibited from purchasing materials made by foreign governments—

SB 612, page 558

Minimum compensation, established—

SB 111, pages 23, 70, 77, 197, 221, 223, 228, 790, 820, 860, Act No. 85-365

Supernumerary county commissioner, may establish qualifications and duties—

SB 684, page 788

COUNTY OFFICERS AND EMPLOYEES

Counties and municipalities, authorized to provide insurance coverage for retired employees—

SB 494, pages 293, 404, 599

Health department employees, appointment authority in absence of health officer clarified—

SB 332, pages 100, 300, 431

COUNTY OFFICERS AND EMPLOYEES (Continued)

Industrial development boards, a county officer or employee may serve as director rather than judge of probate—

HB 578, page 957

Insurance, uniform group health insurance for city, county employees, local employees' health insurance board established—

SB 220, pages 59, 149, 179, 976

Retirement systems, certain members authorized to purchase credit for service as a county employee—

SB 300, pages 92, 549, 613

Tax assessors and collectors, supernumerary, salary increase—

SB 509, pages 314, 406, 468, 934

COURT COSTS

Fair trial tax, payment of, further provided—

SB 69, page 17

SB 619, page 559

COURT REPORTER

Salary increase for reporters not covered by state merit system—

SB 487, pages 291, 549, 616, 708, 804, 839, 890, 1815, 1841, 1958,

Act no. 85-654

COURTS

Attorneys, fees for representing indigent persons in commitment hearings, altered—

SB 572, page 391

Appeals in civil and criminal cases further defined, so as to provide further for dismissal of appeal from district court to circuit court, procedure used, cost therefor—

SB 627, page 614

HB 934, pages 1437, 1746, 1764

Bail for persons charged with violations of municipal ordinances, appeal of judgement from municipal court to circuit court required—

SB 331, pages 100, 401, 1111

HB 40, pages 693, 726

Child support cases, magistrates to hear certain cases, administrative agency established—

SB 528, page 345

Circuit courts, held in penal institutions under certain circumstances—

SB 678, pages 716, 870, 1113

Circuit courts, to take judicial notice of all municipal ordinances—

SB 520, page 316

Civil procedure, pro tanto releases or discharges in writing which reserve claimant's right to proceed includes judgments—

SB 46, pages 13, 80, 151, 215

HB 220, pages 690, 727, 932, 1287, 1288, 1321, Act no. 85-517

Court of civil appeals, authorized to administer oaths—

SB 389, pages 162, 402, 468, 897, 1256, 1370, 1423

COURTS (Continued)

Court of civil appeals, authorized to hire additional attorneys
SB 390, pages 163, 401, 468, 896, 1256, 1265, 1369, 1423

Fair trial tax receipts, authorized for providing prosecutorial services in
municipal and circuit courts on appeal—
SB 69, page 17
SB 619, page 559

Guardian, appointment for “developmentally disabled” persons—
SB 503, pages 294, 870, 977, 1371, 1424

Judicial appellate nominating commission established, authorized to
nominate to governor appointees to all appellate judge positions,
CA—
SB 564, page 390

Judicial retirement system, certain state judicial officers allowed to receive
credit for time spent in federal judiciary service—
SB 711, page 1082

Juvenile court proceedings, further prescribed, upon transfer and cert-
ification as an adult offender thereafter tried as an adult offender
in same courts—
SB 157, pages 43, 401, 481
HB 400, pages 689, 883, 1361

Municipal ordinances, procedure to introduce in evidence in circuit
courts—
SB 323, pages 98, 403, 1111

Supreme court, justices salaries increased—
SB 593, pages 460, 552, 613, 945, 1283, 1359

Youth services, Alabama department of, juvenile court records and others,
disposition of after youth is out of jurisdiction—
SB 358, pages 132, 304, 430

CREDIT

Banks and banking, finance charge defined—
SB 496, pages 293, 556, 800, 934
HB 708, pages 1106, 1762, 1886, 1902, 1902, 1908, 1910, 1911

Consumers, time period when credit reporting agencies may give out
information, limited—
SB 138, page 28

Reporting agencies required to furnish individuals copies of their credit
reports—
SB 571, pages 391, 548, 596

CREDIT UNIONS

Regulated by Alabama credit union administration, banking department
relieved of said duties—
SB 124, pages 25, 81, 263, 366, 565, 571, 596, 941, 959, 1077, Act
no. 85-457

CRIME VICTIM COMPENSATION COMMISSION

Certain new definitions, meeting dates, statistical data, subrogation rights,
access to law enforcement reports—
SB 687, page 788

CRIMES AND OFFENSES

- Abortions performed on minors, parental notification required—
SB 393, page 163
- Adoption, foster parent applicants, department of pensions and security authorized to conduct criminal history investigations—
SB 538, pages 347, 554, 598, 708
HB 940, pages 1241, 1516, 1666, 1668, 1668, 1782, 1799, Act no. 85-537
- Alcoholic beverages, legal age to purchase, consume, possess, transport, increased, exemptions—
SB 226, page 60
HB 6, pages 198, 403, 484, 676, 676, 764, 803, 822, 852, 1405, 1406, 1801, 1911, 1940, Act no. 85-687
- Amusement safety act established, operation of amusement rides and attractions, penalties—
SB 339, pages 101, 410, 456, 771, 804, 842, 889
- Arrest for misdemeanor or felony without a warrant authorized—
SB 375, pages 134, 551, 631
- Arson further defined, relating to malicious burning of woodlands, Alabama woodlands protection act—
HB 358, pages 514, 727
- Assault in first degree to include causing injury with vehicle while DUI—
SB 52, page 14
- Bestiality, criminal penalties provided—
HB 75, pages 515, 727
- Capital punishment, murder of plainclothes law enforcement personnel punishable by death—
SB 498, page 293
- Charities, solicitation of funds, 75% of funds must actually go to charity—
HB 802, page 1438
- Child abuse, definitions expanded to include sexual abuse and exploitation, penalties—
SB 540, pages 348, 555, 598, 946
HB 942, page 1365
- Child custody, crime of interference to include parent secreting child from other parent—
SB 693, page 789
- Children, detention in jails regulated—
SB 253, pages 65, 239, 262, 938
- Chop shops defined, operation prohibited—
SB 671, pages 715, 883
- Computers, criminal activities prohibited, penalties—
SB 62, pages 16, 124, 154, 218, 261, 278, 284, 745, 792, 860, Act no. 85-383
HB 285, pages 306, 680
- Controlled substances, trafficking in, penalties increased, separate crimes established—
SB 424, pages 209, 400, 481

CRIMES AND OFFENSES (Continued)

Crime victim compensation commission, certain new definitions, meeting dates, statistical data, subrogation rights, access to law enforcement reports—

SB 687, page 788

Crime victim impact and allocution act established, criminal procedure victim impact statements provided for in pre-sentence investigations—

SB 586, pages 458, 882, 1113

HB 858, pages 1414, 1521

Criminal justice information center, regulated—

SB 556, pages 389, 545, 743

Criminal law, death, serious physical injury or physical injury resulting from one criminal act, constitute separate offenses—

SB 434, page 229

Criminal procedure, certain document authorized as evidence to prove criminal conviction—

SB 372, pages 134, 403, 468, 895, 947, 1255, 1262

Driving under influence, chemical test includes controlled substances—

SB 58, page 15

Drugs, dispensing of by other than pharmacists and medical practitioners prohibited, penalties—

SB 246, page 64

Drugs, offense of continuing criminal enterprise for purpose of trafficking in illegal drugs, regulated—

SB 531, pages 346, 552, 743, 773

Drugs, unlawful to engage in certain activities relating to drug paraphernalia—

SB 293, pages 91, 400, 591

Escape, while on work release, leave or furlough deemed a felony—

SB 56, pages 15, 80, 151, 216, 1333

SB 160, pages 44, 234, 387

Exotic bird business, regulated—

SB 416, pages 208, 633, 730, 771, 818, 1087, 1128, 1130

Felons, certain multiple offenses to be construed as one offense under habitual offender act—

SB 608, pages 557, 882

Fishing, prohibited in lakes owned by three owners or less, on part of lake owned by other joint owners, penalties—

SB 624, pages 613, 961

Food stamps, illegal possession, penalties provided—

SB 93, pages 20, 401, 482

Hazardous wastes, transporting through tunnels, prohibited—

HB 532, pages 1440, 1759, 1768

Library theft, crime of, created, penalties—

HB 650, pages 687, 883, 960

CRIMES AND OFFENSES (Continued)

Manslaughter, crime defined, Class B felony—
SB 156, pages 43, 401, 481

Mental retardation, testing defendants for between arrest and first court appearance—
SB 12, pages 6, 81, 201, 213, 416, 453, 516, 1796, 1840, 1958, Act no. 85-652

Minimum sentences, increased—
SB 55, pages 15, 79, 119, 151, 178, 215, 221, 224

Missing persons information center established within department of public safety—
SB 532, pages 346, 553, 598, 749, 751, 932, 1342, 1400
HB 936, pages 1240, 1515, 1664, 1667, 1668, 1777, 1799, Act no. 85-538

Missing persons, time and manner of investigations, penalties for false reporting—
SB 30, pages 9, 80, 201, 214, 262, 323, 341

Motor vehicles, casting light from at night, hours prohibited, penalties provided—
SB 278, pages 88, 145, 220
HB 466, pages 510, 962, 1111

Motor vehicles, mandatory liability insurance provided, penalties provided—
SB 242, pages 63, 680, 720, 770, 897, 1256, 1370, 1423

Motor vehicles, new penalties for leaving the scene of an accident—
SB 316, pages 97, 402, 469, 707, 749, 751

Motor vehicles, open containers of alcoholic beverages prohibited, penalties—
SB 274, pages 87, 402

Motor vehicles, parking in handicapped place without proper decal, penalties—
HB 2, pages 1364, 1746, 1759, 1922, 1923, 1924, 1926, 1927, 1950

Motor vehicles, uniform certificate of title redefined—
SB 175, pages 46, 147, 284, 367
HB 163, pages 166, 297, 645, 1836, 1858, 1922, 1923, 1924, 1926, 1927, Act no. 85-705

Prisoners, certain prohibited from serving in county jails—
SB 699, page 863

Prisons and prisoners, convicted felons to serve in state facility unless judge specifies county jail—
SB 315, pages 97, 726, 893, 893, 943, 1254, 1258, 1259, 1275

Psychology, unauthorized practice prohibited—
SB 458, page 287

Public officers and employees convicted of a felony must vacate office or place they hold—
SB 310, pages 94, 400, 911

CRIMES AND OFFENSES (Continued)

Rape of wife by husband, exclusion from criminal responsibility removed—

SB 524, pages 316, 551, 777, 937, 1301

School records falsified by any teacher, principal, administrator, superintendent or school employee, prohibited, class C misdemeanor—

SB 161, pages 44, 634

Statute of limitations, number of crimes falling under, increased—

SB 9, page 6

Timber theft, confiscation of equipment—

SB 499, pages 293, 407, 591, 773, 803, 833

Uniform certificate of title and antitheft act, surrender of vehicle, i.d. number plate requirement altered, salvage certificate, insurance company exemption total loss redefined, inspection, chop shops prohibited—

SB 672, pages 715, 869, 1280, 1290, 1290, 1400, 1930, 1955, 1959, Act no. 85-650

Uniform controlled substances act, incorporation in criminal code, penalties conform to criminal code, counterfeit drugs regulated—

SB 529, pages 345, 551, 742

Work release, certain prisoners cannot participate—

SB 53, pages 14, 80, 151, 215, 417, 453, 534, 537

Work release, escape from constitutes felony—

SB 56, pages 15, 80, 151, 216, 1333

SB 160, pages 44, 234, 387

Workmen's compensation law, includes benefits for cotton textile workers lung disease—

SB 149, pages 31, 408, 456

CRIMINAL JUSTICE INFORMATION CENTER

Adoption, foster parent applicants, department of pensions and security authorized to conduct criminal history investigations—

SB 538, pages 347, 554, 598, 708

HB 940, pages 1241, 1516, 1666, 1668, 1668, 1782, 1799, Act no. 85-537

Child care facilities, records and background information checks on operators and other employees—

HB 646, pages 691, 726, 1281

Missing persons, prompt reporting to state and federal information centers—

SB 535, page 346

Regulated, certain restrictions on dissemination of information removed—

SB 556, pages 389, 545, 743

CRIMINAL PROCEDURE

Appeals to circuit court from district court, dismissed when defendant fails to appear—

SB 627, page 614

HB 934, pages 1437, 1746, 1764

Arrest for misdemeanor or felony without a warrant authorized—

SB 375, pages 134, 551, 631

CRIMINAL PROCEDURE (Continued)

Arrest without warrants authorized in certain cases involving traffic accidents—

SB 579, page 392

Bail for persons charged with violations of municipal ordinance, appeal of judgment from municipal court to circuit court required—

SB 331, pages 100, 401, 1111

HB 40, pages 693, 726

Certain document authorized as evidence to prove criminal conviction—

SB 372, pages 134, 403, 468, 895, 947, 1255, 1262

Child victims of sexual abuse or exploitation, certain protections granted regarding identity, interviews, and the concealing of court records, penalties—

SB 545, pages 349, 556, 598, 1340

HB 947, pages 1238, 1518, 1665, 1668, 1668, 1790, 1905, 1913, Act no. 85-742

Children, detention in jails regulated—

SB 253, pages 65, 239, 262, 938

Children, special assistance in criminal proceedings involving children who are victims or witnesses to a crime—

SB 536, pages 347, 554, 598, 767, 803, 818, 890

HB 938, pages 1244, 1516, 1664, 1668, 1668, 1777

Children, testifying in child or sexual abuse cases, special criminal procedural safeguards authorized—

SB 537, pages 347, 554, 598, 946

HB 939, pages 1244, 1516, 1665, 1668, 1668, 1779, 1782, 1793, 1906, 1914, Act no. 85-743

Circuit courts, held in penal institutions, under certain circumstances—

SB 678, pages 716, 870, 1113

Controlled substances, trafficking in, penalties increased, separate crimes established—

SB 424, pages 209, 400, 481

Crime victim compensation commission, certain new definitions, meeting dates, statistical data, subrogation rights, access to law enforcement reports—

SB 687, page 788

Crime victim impact and allocution act established, criminal procedure victim impact statements provided for in pre-sentence investigations—

SB 586, pages 458, 882, 1113

HB 858, pages 1414, 1521

Criminal law, death, serious physical injury or physical injury resulting from one criminal act, constitute separate offenses—

SB 434, page 229

Criminal sentences of 10 years or less, certain mandatory time of incarceration—

SB 625, page 614

Criminals, mentally ill, procedure for hearings prior to release of defendant who committed crime while mentally ill—

SB 321, page 98

CRIMINAL PROCEDURE (Continued)

- Death sentence, governor can commute to life for certain crimes—
SB 54, pages 14, 80, 119, 151, 178, 215, 221, 224
- Drugs, unlawful to engage in certain activities relating to drug paraphernalia—
SB 293, pages 91, 400, 591
- Environmental management department, further regulated—
SB 719, page 1083
HB 743, pages 1091, 1758, 1766, 1770, 1924, 1941
- Escape, while on work release, leave or furlough deemed a felony—
SB 56, pages 15, 80, 151, 216, 1333
SB 160, pages 44, 234, 387
- Fair trial tax, payment of, further provided—
SB 69, page 17
SB 619, page 559
- Felons, certain multiple offenses to be construed as one offense under habitual offender act—
SB 608, pages 557, 882
- Insanity, defense to criminal proceedings, test established—
SB 74, page 17
- Interstate corrections compact adopted, regulate transfer of prisoners—
SB 440, page 247
SB 470, pages 289, 404, 591
HB 667, pages 1091, 1520, 1837, 1865, 1916, Act no. 85-752
- Juvenile court proceedings, further prescribed, upon transfer and certification as an adult offender thereafter tried as adult offender in same courts—
SB 157, pages 43, 401, 481
HB 400, pages 689, 883, 1361
- Mental health board, superintendent and physicians, depositions permitted in civil and criminal cases—
SB 83, pages 19, 81, 151, 178, 220, 270, 893, 1254, 1257
- Mental retardation, testing defendants for, between arrest and first court appearance—
SB 12, pages 6, 81, 201, 213, 416, 453, 516, 1796, 1840, 1958, Act no. 85-652
- Minimum sentences, increased—
SB 55, pages 15, 79, 119, 151, 178, 215, 221, 224
- Missing persons, time and manner of investigations, penalties for false reporting—
SB 30, pages 9, 80, 201, 214, 262, 323, 341
- Municipal ordinances, procedure to introduce in evidence in circuit courts—
SB 323, pages 98, 403, 1111
- Night time search warrants, issuance of provided further—
SB 97, pages 21, 402, 481
- Prisoners, certain prohibited from serving in county jails—
SB 699, page 863

CRIMINAL PROCEDURE (Continued)

Prisons and prisoners, convicted felons to serve in state facility unless judge specifies county jail—

SB 315, pages 97, 726, 893, 893, 943, 1254, 1258, 1259, 1275

Sexual abuse offenders, special paroling procedure provided—

SB 542, pages 348, 555, 598, 1341

HB 944, page 1237

State may demand jury trial when it is waived by defendant—

SB 51, page 14

Statute of limitations, number of crimes falling under, increased—

SB 9, page 6

Timber theft, confiscation of equipment—

SB 499, pages 293, 407, 591, 773, 803, 833

Writ of habeas corpus, granted without delay, exceptions—

HB 461, pages 690, 884, 1922, 1923, 1924, 1926, 1927

Youthful offenders, certain crimes must be tried as an adult—

SB 128, page 26

Youthful offenders, once transferred to criminal court as adult, always tried as adult—

SB 157, pages 43, 401, 481

HB 400, pages 689, 883, 1361

DAMS AND RESERVOIRS

Safe dams act, penalties provided—

SB 32, page 10

DAY HOME CARE

Corporations, tax credit for child day care centers provided—

SB 495, page 293

DEATH PENALTY

Governor can commute to life for certain crimes—

SB 54, pages 14, 80, 119, 151, 178, 215, 221, 224

DENTISTRY

Dental examiners, board of, one dental hygienist added—

SB 103, page 22

SB 431, pages 229, 266, 323

Practice of by dentists and dental hygienists, further regulated—

SB 33, pages 10, 300, 369, 908, 1257, 1370, 1424

HB 95, pages 514, 553, 645, 933, 1302, 1815, 1847, Act no. 85-697

Dentists, advertising regulated—

SB 34, pages 10, 300, 369

DEVELOPMENT AUTHORITIES

Ratification of organization and operation of regional planning and development commissions—

SB 425, pages 210, 266, 424

SB 618, page 558

HB 626, pages 492, 637, 896, 1886, 1892, 1917, Act no. 85-757

DISABILITY

Firemen, disability compensation—

SB 57, pages 15, 122, 137, 216, 804, 889, 931, 947

Industrial relations department, law enforcement officers authorized to keep badges and pistols upon retirement—

HB 489, pages 1366, 1680, 1761, 1922, 1923, 1924, 1925, 1927, 1948

Peace officers' annuity and benefit fund, disability benefits, new members prohibited from purchasing prior service—

SB 328, page 99

DISTRICT ATTORNEYS

Investigators, minimum qualifications, law enforcement powers conferred—

SB 669, pages 715, 869, 1280

SB 675, page 716

Investigators, paid same subsistence allowance paid certain law enforcement officers—

SB 178, page 46

SB 658, pages 712, 869, 1280

SB 676, pages 716, 869

HB 542, pages 1441, 1520, 1886, 1893, 1916, 1922, 1923, 1924, 1926, 1927, Act no. 85-754

Judicial retirement system, reopened for certain legislators and assistant district attorneys—

SB 388, page 162

Pistol permits, district attorneys, supernumerary district attorneys, and assistant district attorneys, excused from obtaining pistol permit—

SB 549, pages 349, 725, 1113

Supernumerary service time altered—

SB 21, pages 8, 233, 262, 1277, 1278, 1359

DIVORCE

Child support, court may require payor to post security or bond—

SB 482, pages 291, 552, 733

HB 685, pages 1440, 1762

Child support, foreign order, procedure in order to be ratified in Alabama courts—

SB 254, pages 65, 239, 430

Income tax, alimony defined, defer recognition of gain on transfers of property incident to divorce—

SB 152, pages 31, 81, 104, 197, 221, 222

Military retirement pay considered property in distribution—

SB 348, pages 103, 551, 733

SB 357, page 132

DOCKS AND HARBORS

State docks, certain coal severance tax proceeds authorized to be used to operate coal handling facilities—

HB 1023, pages 1245, 1505, 1808, 1809, 1816, 1816, 1836, 1906, 1914, Act no. 85-648

DOWNTOWN REDEVELOPMENT AUTHORITIES

- Municipalities, authorizes incorporation of, powers, duties prescribed—
SB 581, pages 393, 635, 676, 975
- HB 920, pages 1432, 1518, 1808, 1922, 1923, 1924, 1925, 1927, 1928,
1952, 1956, Act no. 85-683

DRUGS

- Alcoholism, drug abuse, treatment of, minimum insurance provided—
SB 14, pages 7, 409, 468, 765, 804, 847, 920
- Controlled substances, trafficking in, penalties increased, separate crimes
established—
SB 424, pages 209, 400, 481
- Dispensing of by other than pharmacists and medical practitioners
prohibited, penalties—
SB 246, page 64
- Driving under influence, chemical test includes controlled substances—
SB 58, page 15
- Offense of continuing criminal enterprise for purpose of trafficking in
illegal drugs, regulated—
SB 531, pages 346, 552, 743, 773
- Railroad companies, authorized to test certain employees for drug and
alcohol abuse—
SB 525, pages 344, 881, 1116
- School personnel, communications regarding drug use of students, im-
mune from civil liability—
SB 73, pages 17, 80, 151, 219, 261, 281, 421, 434, 538, Act no.
85-239
- SB 228, pages 60, 401, 468
- Uniform controlled substances act, incorporated into criminal code,
penalties conform to criminal code, counterfeit drugs regulated—
SB 529, pages 345, 551, 742
- Unlawful to engage in certain activities relating to drug paraphernalia—
SB 293, pages 91, 400, 591

ECONOMIC AND COMMUNITY AFFAIRS DEPARTMENT

- Rapid rail transit commission transferred to highway department—
SB 353, pages 104, 412, 599
- State property, trade-in of certain machines and equipment, authorized—
SB 655, pages 712, 869, 1280

EDUCATION

- Alabama institute for deaf and blind, required to adopt written educa-
tional policies—
SB 129, pages 26, 266, 424, 936
- HB 516, page 1107
- Blind vendors exemption from sales and use taxes and gross receipt
taxes provided—
SB 140, pages 28, 178, 240, 261, 676, 884, 909, 1434, 1444, 1527,
Act no. 85-574

EDUCATION (Continued)

- City and county school board members required to reside in city or county of their election for one year—
SB 203, pages 52, 408, 468, 943
- City board of education members, procedure established for replacement by mayor and city governing body—
SB 484, page 291
- Colleges, schools and other educational personnel, granted professional leave to attend certain meetings—
SB 237, pages 62, 174, 241, 369, 370, 383, 426
- Competitive bid law, preference given certain local contractors—
SB 50, page 14
- Congress of parents and teachers, officers and full-time employees, authorized to join teachers' retirement system—
SB 317, pages 97, 173, 263, 676, 884, 889, 909
HB 487, pages 687, 725
- Education budget, support, maintenance and development of public education—
SB 210, page 53
HB 331, pages 590, 796, 1014, 1014, 1077, 1130, 1132, 1172, 1233, 1235, 1236, 1247, 1248, 1265, 1271, 1406, 1406, Act no. 85-516
- Education, state board of, one member elected from each congressional district—
SB 289, pages 90, 1085
- Educational employees of boards of education and colleges and universities, required to pay employees minimum wages—
SB 84, pages 19, 236, 263
- Educational employees, payroll deduction authorized for certain retirement accounts—
SB 575, page 392
- Educational personnel, governing body required to grant release time to fulfill professional development requirements—
SB 324, pages 98, 236, 304
- Educational personnel, records regulated according to federal guidelines—
SB 109, pages 23, 325, 435
- Eminent scholars, Alabama endowment fund for, established, appropriation made from special educational trust fund—
SB 169, pages 45, 177
HB 115, pages 684, 1085, 1886, 1897, 1909, 1918, Act no. 85-759
- Full-time education support personnel, two days of personal leave authorized—
SB 122, pages 25, 173, 243, 766, 804, 858, 859, 861, 919, 928, 1434, 1444, 1527, Act no. 85-644
- G.I. education act, spouses recognized, remove delimiting dates—
SB 441, pages 247, 416, 599
HB 64, pages 957, 1759, 1769, 1886, 1899, 1918, Act no. 85-758
- Governor's education reform commission, membership increased—
SB 577, page 392

EDUCATION (Continued)

- Industrial development training institute, certain appropriations to form special educational trust fund—
SB 513, page 315
- Kindergartens, state board of education, to purchase textbooks for—
SB 112, pages 23, 408, 591, 939, 1285, 1359
- Mental health department and mental retardation, designated as special school district, district superintendent of education appointed by commissioner—
SB 438, page 247
HB 629, pages 514, 1759, 1769
- Minimum program and public school fund, full funding provided—
SB 345, pages 102, 212, 240, 772, 804, 855, 890
- Minimum program and public school fund, kindergarten pupils included in—
SB 98, pages 21, 79, 151, 769, 857, 1087, 1129
- Minimum school program, average daily attendance, further defined—
SB 308, pages 93, 408
- Missing school children, lists required to compile—
SB 534, page 346
- National guard, additional educational benefits provided—
HB 276, pages 1417, 1746, 1761
- Oil and gas excise tax, board of education, institute for deaf and blind, youth services department, exempt—
SB 101, page 22
- P.T.A. officers and employees, authorized to join teachers' retirement system—
SB 317, pages 97, 173, 263, 676, 884, 889, 909
HB 487, pages 687, 725
- Partnership plan for the operation of facilities constructed with private funds in public education, appropriation from special educational trust fund authorized to match contributions—
SB 81, pages 18, 326, 430
SB 190, page 49
- Public school and college authority, authorized to issue bonds for certain educational purposes—
SB 650, page 711
- Public school corporation, authorized to borrow money on behalf of local school boards—
SB 587, pages 458, 634, 732, 776, 804, 888, 928
- Retired teachers association officers and employees, authorized to join teachers' retirement system—
SB 340, pages 101, 297, 373, 937, 1299
- School buses, seatbelts required by certain date—
SB 133, pages 27, 173, 218
- School personnel, board of education required to defend where certain civil action brought—
SB 344, pages 102, 1084

EDUCATION (Continued)

School personnel, communications regarding drug use of students, immune from civil liability—

SB 73, pages 17, 80, 151, 219, 261, 287, 421, 434, 538, Act no. 85-239

SB 228, pages 60, 401, 468

School personnel, examination for tuberculosis, required—

SB 99, pages 21, 79, 151

School records falsified by any teacher, principal, administrator, superintendent or school employee prohibited, class C misdemeanor—

SB 161, pages 44, 634

School systems, authorized to shorten minimum number of school days required in the event of certain natural disasters—

SB 141, pages 28, 79, 150, 242, 417, 453, 483

School trustees, county, position abolished—

SB 143, pages 29, 409, 463

Schools, must report child's absence to parent or guardian by 10:00 a.m.—

SB 533, pages 346, 553, 598, 1339

Schools, nurses placed in, education department to administer—

SB 475, page 290

Sick leave, maximum number of accumulated days for educational employee increased—

SB 193, pages 49, 634

State tenure commission, geographical limitations on members removed—

SB 227, pages 60, 174, 430, 933

Teachers, authorized to give certain number of sick leave days to spouse, if both are tenured teachers in same school system—

SB 685, page 788

Teachers, incentive pay plan, plan for excellence—

SB 126, page 25

Teachers, mandatory retirement of, exceptions allowed on year by year basis—

SB 95, pages 20, 78, 217, 361, 630

SB 198, page 51

HB 297, pages 121, 212, 228, 260, 322, 323, 327, 332, Act no. 85-208

Teachers' retirement system, board of control, membership increased—

SB 107, pages 22, 212, 239, 243, 261, 282, 1236, 1276, 1357, Act no. 85-519

Teachers' retirement system, member benefits relative to surviving spouse changed—

SB 275, pages 87, 634, 801, 801, 1086

HB 447, pages 699, 1506

Teachers, salary increased, appropriation—

HB 788, pages 704, 884, 1274, 1922, 1923, 1924, 1926, 1927

Teachers who received advance degree, salary increase provided—

SB 230, pages 61, 884, 1113

EDUCATION (Continued)

- Teaching certificate, applicant fee increased—
SB 159, page 44
- Tenure, granted to a teacher after one year, with tenure in another system—
SB 185, pages 48, 173, 341, 1351
- Textbook committee, membership increased, open meetings provided—
SB 114, pages 23, 79, 195, 361
- Utility service use tax, city and county board of education exempt—
SB 100, page 21

ELECTION EXPENSES

- Campaign contributions, reporting of, additional information required—
SB 142, pages 29, 172, 217

ELECTION PROCEDURE

- Absentee voting, procedures for curbing certain abuses provided—
SB 314, page 97
- “Alabama fair campaign practices commission”, established—
SB 127, pages 26, 299, 424
- Campaign contributions, reporting of, additional information required—
SB 142, pages 29, 172, 217
- Education, state board of, one member elected from each congressional district—
SB 289, pages 90, 1085
- Legislature, procedures for special elections to fill vacancies—
HB 557, pages 687, 879, 1922, 1923, 1924, 1926, 1927
- Primary elections, date of, altered—
HB 301, pages 142, 297, 598, 601, 602, 650, 650, 652, 653, 654, 746,
793, 819, Act no. 85-389
- Registrars, board of, expense allowance increased—
SB 527, pages 345, 879
- Supreme court, appellate court, civil court and district court, judges, nonpartisan election provided—
SB 673, page 715

ELECTIONS

- Alternative place of holding, designated by county commissions—
HB 456, pages 1365, 1680, 1761
- Certain ones validated regarding special county and municipal taxes—
SB 294, pages 91, 298, 425
- Class 4 municipalities, mayor-council form of government authorized, procedure—
SB 709, page 1081
HB 1044, pages 1412, 1680, 1765, 1924
- Election results, required to be reported to secretary of state with precinct totals—
SB 640, pages 629, 723, 895, 895, 938, 1255, 1260, 1275

ELECTIONS (Continued)

Taxation and debt limit, altered, CA—
SB 180, pages 47, 265, 373

Voter registration file maintenance system established, powers—
SB 320, pages 98, 547, 613, 769, 804, 833, 836, 863

Voters, registration and polling places to be accessible to handicapped and elderly—
SB 89, pages 20, 70, 85, 128, 139, 180, 199, 203, 422, 538, Act no. 85-234

Voting, deputy registrar required to be at court house during all official hours, board of registrars required to be open certain time prior to election deadline—
HB 468, pages 705, 883, 960

ELECTRIC SUPPLIERS

Territorial bill, municipal electrical utilities, service area restricted—
SB 145, pages 29, 146, 165
HB 114, pages 231, 544, 599, 684, 706, 1667, 1668, 1739, 1743, 1745, 1775, Act no. 85-645

ELKS CLUB

Tax exempt—
SB 261, page 67

EMERGENCY MANAGEMENT ACT

Includes man-made, natural or technological disasters, for purposes of continuing state government—
SB 5, pages 5, 174, 240

EMINENT DOMAIN

Ad valorem taxes on property acquired by tax exempt body through eminent domain, regulated—
SB 343, pages 102, 727

Code, Alabama, established, condemnation procedures prescribed—
SB 287, pages 89, 400, 468, 768, 804, 850, 890, 1489, 1682, 1816, Act no. 85-548

Road right-of-way available to land-locked property widened—
SB 522, pages 316, 411, 468

EMINENT SCHOLARS PROGRAM

Eminent scholars, Alabama endowment fund for, established, appropriation made from special educational trust fund—
SB 169, pages 45, 177
HB 115, pages 684, 1085, 1886, 1897, 1909, 1918, Act no. 85-759

EMPLOYEES' INSURANCE

Counties and municipalities authorized to provide insurance coverage for retired employees—
SB 494, pages 293, 404, 599

Insurance, uniform group health insurance for city, county employees, local employees' health insurance board established—
SB 220, pages 59, 149, 179, 976

EMPLOYEES' INSURANCE (Continued)

Labor, procedures for settlement of wage claim protests by commissioner of department of labor—
SB 61, pages 15, 145, 179, 218, 749, 756

State personnel department, directed to certify ten names—
SB 202, pages 52, 124, 218
HB 117, pages 309, 405, 468, 1346, 1346, 1407, Act no. 85-459

U. S. S. Alabama battleship commission power to contract limited, offer certain benefits to employees, mandated to establish state memorial park to honor all armed conflicts, to forgive indebtedness to state docks—
HB 344, pages 692, 725, 976, 976, 1339, 1370, 1424, 1522, 1803, 1849, Act no. 85-703

EMPLOYEES' RETIREMENT SYSTEM

Cost-of-living increase to certain persons retired under the teachers' and employees' retirement systems—
SB 212, pages 53, 123, 150, 241, 323, 342, 1434, 1444, 1527, Act no. 85-631

Film commission, Alabama, employees members of state employees' health insurance and retirement plans, retroactive date—
SB 338, pages 101, 297, 429, 770

Full-time employees and executive officers of Alabama state employees' association and Alabama retired state employees' association to participate—
SB 165, pages 45, 403, 977

Judges, retirement system re-opened for certain previous service—
SB 576, pages 392, 680, 732

Military service, service credit authorized in state retirement systems—
SB 451, pages 250, 326, 516, 975
HB 823, pages 1416, 1521, 1922, 1923, 1924, 1926, 1927

Municipal officers, service credit in employees' retirement system granted in certain areas—
SB 305, pages 93, 235, 1279, 1279, 1890, 1900, 1958, Act no. 85-662

Retired employees, election to continue coverage under group insurance plan, premium paid by state—
SB 285, pages 89, 232, 263, 363, 676, 884, 910, 1750, 1795, 1816, 1881, 1904, 1919, 1958, Act no. 85-649

Retirement systems, teachers' and employees' retirement systems, eligible members, choice of lump sum death benefit and monthly allowance for survivors—
SB 168, pages 45, 70, 77, 196, 221, 222

State employees, election to continue participation in employees' retirement system upon transfer in state employment—
SB 689, page 789

State employees, retired, cost-of-living increase authorized—
SB 248, pages 64, 232, 304, 768, 897, 1256, 1370, 1424
SB 312, pages 94, 148, 218
HB 416, pages 1413, 1521, 1922, 1923, 1924, 1926, 1927

EMPLOYEES' RETIREMENT SYSTEM (Continued)

Teachers' retirement system, member benefits relative to surviving spouse changed—

SB 275, pages 87, 634, 801, 801, 1086

HB 447, pages 699, 1506

EMPLOYEES SICK LEAVE

Educational employee, maximum number of accumulated sick leave days increased—

SB 193, pages 49, 634

ENGINEERS

Architects and engineers, statute of limitation on certain civil actions concerning real estate improvements, defects or deficiencies—

SB 196, page 51

ENTERPRISE ZONES

Alabama enterprise zone act, established—

SB 335, pages 100, 414, 1111

ENVIRONMENT

Cahaba trace commission, established, powers, duties, authorized to issue bonds—

SB 463, pages 288, 406, 481, 985

Conservation and natural resources department supplemental appropriation made from state land funds for fiscal year beginning October 1, 1985—

SB 284, page 89

SB 433, page 229

SB 453, pages 286, 326, 369, 769, 804, 852, 1947, 1954, 1959, Act no. 85-651

Environmental management commission, membership increased—

SB 59, page 15

Environmental management department, further regulated, control abatement and prevention of pollution and environmental problems—

SB 719, page 1083

HB 743, pages 1091, 1758, 1766, 1770, 1924, 1941

Hunting rights of certain persons on property where resident game protection program is operating, protected—

SB 288, pages 90, 296

Toxic substances, contractors liability, list established, council created to administer—

SB 435, pages 229, 266, 304, 381, 416, 453, 516, 656, 675, 1865, 1899, 1958, Act no. 85-658

ENVIRONMENT, WATER

Alabama scenic rivers system act, established for protection of waterways—

SB 295, page 91

Flood control authority, may be established by county governing bodies, to receive grants—

SB 647, pages 630, 879, 956

HB 1037, pages 1436, 1758, 1765, 1922, 1923, 1924, 1926, 1927

ENVIRONMENT, WATER (Continued)

Water pollution control grant fund created to construct sewage treatment facilities—

HB 590, pages 590, 964, 1111, 1886, 1888, 1916, Act no. 85-755

ENVIRONMENTAL MANAGEMENT DEPARTMENT

Administrative procedure act, amended—

HB 116, pages 693, 880

Environmental management commission, membership increased—

SB 59, page 15

Environmental protection superfund established, appropriation from interest on oil lease revenues—

SB 10, pages 6, 413, 613, 896, 946, 1256, 1263, 1369, 1423

Further regulated, control abatement and prevention—

SB 719, page 1083

HB 743, pages 1091, 1758, 1766, 1770, 1924, 1941

Hazardous waste storage facilities and disposal sites, department of environmental management empowered to monitor—

HB 280, pages 515, 963, 1886, 1888, 1890, 1903, 1916, Act no. 85-751

Water pollution control grant fund created to construct sewage treatment facilities—

HB 590, pages 590, 964, 1111, 1886, 1888, 1916, Act no. 85-755

EVIDENCE

Children, testifying in child or sexual abuse cases, special criminal procedural safeguards authorized—

SB 537, pages 347, 554, 598, 946

HB 939, pages 1244, 1516, 1665, 1668, 1668, 1779, 1782, 1793, 1906, 1914, Act no. 85-743

Criminal procedure, certain documents authorized as evidence to prove criminal conviction—

SB 372, pages 134, 403, 468, 895, 947, 1255, 1262

Insanity, defense to criminal proceedings, test established—

SB 74, page 17

Judgments entered into pursuant to pro tanto settlement clarified for inclusion with written receipts, releases—

SB 46, pages 13, 80, 151, 215

HB 220, pages 690, 727, 932, 1287, 1288, 1321, Act no. 85-517

Mental health board, superintendent and physicians, depositions permitted in civil and criminal cases—

SB 83, pages 19, 81, 151, 178, 220, 270, 893, 1254, 1257

FAIR TRIAL TAX FUND

Fair trial tax receipts authorized for providing prosecutorial services in municipal and circuit courts on appeal—

SB 69, page 17

SB 619, page 559

FARMERS

Nonresident aliens engaged in farming, reports to commissioner of agriculture and industries provided—
SB 119, pages 24, 71

Trucks used by farmers, license tax and registration fee, exempt from 1984 tax increase and delinquent penalty—
SB 108, page 23

FARMERS MARKET AUTHORITY

Department of agriculture and industries provided supplemental appropriation from agricultural fund for development of farmers market facility—
SB 584, pages 458, 549, 616, 749, 751, 777, 804, 888, 927, 1417, 1428, 1441, Act no. 85-636

FEES

Airports, landing fee on aircraft that do not offer discounts on flights originating in Alabama, authorized—
SB 645, page 630

Municipalities, entitles any municipal officer who serve on boards of directors of municipal water, sewer, gas or electric systems fee for services—
SB 479, pages 290, 411, 468, 768, 804, 841

Nursing home administrative board, fees increased—
SB 574, pages 392, 963

Probate judges, fees for copies of instruments provided—
SB 605, pages 463, 631, 720, 749, 752, 774, 1327

Public service commission, increased funding for motor carrier operations provided—
SB 162, pages 44, 147, 284, 367, 749, 750, 1796, 1840, 1958, Act no. 85-653

FELONS

Certain multiple offenses to be construed as one offense under habitual offender act—
SB 608, pages 557, 882

Public officers and employees convicted of felony must vacate office or place they hold—
SB 310, pages 94, 400, 911

FINANCE CHARGE

Assessed upon forest lands for fire protection programs—
SB 17, pages 7, 70, 131, 213, 213, 261, 280
HB 60, pages 1365, 1759, 1767, 1922, 1923, 1924, 1926, 1927, 1950

Banks and banking, finance charge defined—
SB 496, pages 293, 556, 800, 934
HB 708, pages 1106, 1762, 1886, 1902, 1902, 1908, 1910, 1911

Forest fire assessment provided, distribution for fire protection, CA—
SB 18, pages 7, 70, 131, 213, 261, 281
HB 59, pages 1363, 1759, 1769, 1922, 1923, 1924, 1926, 1927, 1950

Usury statute, conforms term "finance charge" to federal definition—
SB 222, page 59

FINANCE DEPARTMENT

Budget management, state agencies and departments to get approval from fiscal committee to change operations—

SB 135, pages 27, 123, 150

Municipalities, authorized to incorporate downtown redevelopment authorities, powers, duties—

SB 581, pages 393, 635, 676, 975

HB 920, pages 1432, 1518, 1808, 1922, 1923, 1924, 1925, 1927, 1928, 1952, 1956, Act no. 85-683

Nonprofit corporation, authorized to purchase state property from—

HB 607, page 954

State agencies, inventory reporting of certain state property, regulated—

SB 565, pages 390, 545, 1116

State agencies, property manager required to report inventory of personal property changed to increase value and reporting period—

SB 578, pages 392, 545, 894, 1255, 1259, 1369, 1423

State purchasing agency authorized to make purchases from out-of-state prison industries for resale to political subdivision by Alabama prison industries—

SB 326, pages 99, 404, 591

Tennessee-Tombigbee waterway opening ceremony, appropriation provided to finance department for Alabama's share of expenses—

HB 615, pages 508, 548, 977, 1922, 1923, 1924, 1926, 1927

Workmen's compensation, state agencies to provide through department of finance for each state employee on pro rata basis, department of finance to administer—

SB 715, page 1083

FINANCIAL ASSISTANCE PROGRAM

Public school corporation, authorized to borrow money on behalf of local school boards—

SB 587, pages 458, 634, 732, 776, 804, 888, 928

FIRE MARSHAL

Chiefs-of-police, marshals and mayors of incorporated municipalities deleted as assistant fire marshals—

SB 174, pages 46, 69, 150, 801, 1086

FIRE PROTECTION

Finance charge assessed upon forest lands for fire protection programs—

SB 17, pages 7, 70, 131, 213, 213, 261, 280

HB 60, pages 1365, 1759, 1767, 1922, 1923, 1924, 1926, 1927, 1950

State fire college, chancellor of postsecondary education to administer—

SB 363, pages 132, 409, 1116

Volunteer fire departments, vehicles authorized to use sirens and lights—

SB 486, pages 291, 411, 592, 734, 968, 1009, 1010

FIREMEN

Disability compensation provided—

SB 57, pages 15, 122, 137, 216, 804, 889, 931, 947

Distinctive license plates, additional fee eliminated—

SB 401, page 165

FIREMEN (Continued)

Distinctive license plates, issuance of for each automobile provided—
SB 368, pages 133, 882, 945

Law enforcement officers and firemen, preferential treatment for hospital admission authorized in certain instances—
SB 7, pages 6, 403, 559, 765, 803, 832, 1490, 1681, 1816, Act no. 85-542

Retirement pay and pensions, tax exempt—
SB 329, page 99

Trained by one government entity who become employed by another within certain time, training entity entitled to compensation—
SB 333, page 100

FIREWORKS

Regulated, definitions, prohibition and sale of to persons under 16 years—
SB 163, pages 44, 125, 719, 776, 895, 1255, 1262

FISHERMEN, COMMERCIAL

Catfish, promotion of, assessment provided—
SB 553, pages 372, 633, 818, 911, 1086

Fishing with gill or trammel nets in fresh water regulated by department of conservation and natural resources upon request of local legislation—
SB 301, pages 92, 145, 650

Oysters, sacking and tagging for commercial purposes regulated, penalties—
SB 356, page 131
HB 451, pages 690, 962

FLOOD CONTROL

Flood control authority, may be established by county governing bodies, to receive—
SB 647, pages 630, 879, 956
HB 1037, pages 1436, 1758, 1765, 1922, 1923, 1924, 1926, 1927

FOOD STAMPS

Illegal possession, penalties provided—
SB 93, pages 20, 401, 482

FOREST FIRE ASSESSMENT

Finance charge assessed upon forest lands for fire protection programs—
SB 17, pages 7, 70, 131, 213, 261, 280
HB 60, pages 1365, 1759, 1767, 1922, 1923, 1924, 1926, 1927, 1950

Provided, distribution for fire protection, CA—
SB 18, pages 7, 70, 131, 213, 261, 281
HB 59, pages 1363, 1759, 1769, 1922, 1923, 1924, 1926, 1927, 1950

FOREST INDUSTRIAL DEVELOPMENT BOARD

Established, appropriation—

SB 224, pages 60, 145, 165, 242, 323, 341

FOREST PRODUCTS

Maintenance of purchase records provided, penalties—

SB 243, pages 63, 145, 430

Timber theft, confiscation of equipment provided—

SB 499, pages 293, 407, 591, 773, 803, 833

FORESTRY COMMISSION

Supplemental appropriation provided—

SB 19, page 8

HB 58, pages 493, 549, 732, 933, 1808, 1809, 1848, Act no. 85-700

HB 602, pages 507, 550, 732, 935, 1808, 1809, 1849, Act no. 85-696

FORESTS

Forest fire assessment, distribution for fire protection, CA—

SB 18, pages 7, 70, 131, 213, 261, 281

HB 59, pages 1363, 1759, 1769, 1922, 1923, 1924, 1926, 1927, 1950

Forest products, maintenance of purchase records provided, penalties—

SB 243, pages 63, 145, 430

Forest products, severance of at an increased rate provided—

SB 19, page 8

HB 58, pages 493, 549, 732, 933, 1808, 1809, 1848, Act no. 85-700

HB 602, pages 507, 550, 732, 935, 1808, 1809, 1849, Act no. 85-696

Forest tree insect and disease fund, regulated—

SB 229, pages 61, 174, 431, 943

State forest industrial development board, established, appropriation—

SB 224, pages 60, 145, 165, 242, 323, 341

FRANCHISE TAX

Corporations, foreign, franchise tax, exclusions provided for capital investment in certain counties with high unemployment—

HB 837, pages 604, 681, 731, 774, 804, 845, 914, Act no. 85-412

FRANCHISES

Motorcycle dealer franchises, dealing with wholesalers and manufacturers regulated—

SB 588, pages 459, 797

FRINGE BENEFITS

State employees, non-classified hourly employees permitted same sick leave benefits, on pro rata basis, as classified employees—

SB 67, pages 16, 69, 77, 139, 180, 199, 221, 221, 228

FUNERAL SERVICES

Board of, educational requirements further altered, reinstatement of license, apprenticeships further provided for—
SB 1, page 4

Pre-need burial contracts, sale of, regulated—
SB 359, page 132

GAME AND FISH

Catfish, promotion of, assessment provided—
SB 553, pages 372, 633, 818, 911, 1086

Catfish, promotion of, CA—
SB 567, pages 390, 633, 732

County license fees for nonresident fishing licenses increased, distributed—
SB 8, pages 6, 71, 220, 240, 749, 756, 761

Daylight hours, defined for purposes of hunting—
SB 474, pages 289, 407, 468

Fish, game and wildlife, importing game in state, regulated—
SB 688, pages 788, 961

Fishing, prohibited in lakes owned by three owners or less, on part of lake owned by other joint owners, penalties—
SB 624, pages 613, 961

Fishing with gill or trammel nets in fresh water regulated by department of conservation and natural resources upon request of local legislation—
SB 301, pages 92, 145, 650

Hunter education, conservation and natural resources department to implement—
SB 595, pages 460, 961, 1113

Hunters and catchers may donate parts of game animals to nonprofit corporations without penalty—
SB 661, pages 713, 961

Hunting licenses, nonresident, fees altered—
SB 350, pages 103, 632, 741, 770

Hunting rights of certain persons on property where resident game protection program is operating, protected—
SB 288, pages 90, 296

Motor vehicles, casting light from at night, hours prohibited—
SB 278, pages 88, 145, 220
HB 466, pages 510, 962, 1111

Turkey hunters hall of fame, established—
SB 530, pages 346, 633, 930
HB 763, pages 1239, 1758, 1763, 1924

GARNISHMENT

Child support orders, operation by pensions and security department, regulated—

SB 252, pages 65, 239, 431

Child support, salary withholding regulated, procedure—

SB 251, pages 64, 238, 431

Child support, state authorized to garnish wages for support due in other states—

SB 260, pages 66, 238, 323, 362, 684, 885, 912

State law regarding, altered to conform to federal law—

SB 347, pages 103, 400, 650, 772, 777, 968, 1013

GENERAL FUND

Appropriations from state general fund for ordinary expenses of executive, legislative and judicial departments, capital outlay and public debt—

SB 207, page 53

HB 332, pages 1107, 1505, 1537, 1538, 1643, 1798, 1798, Act no. 85-539

Health planning and development agency, supplemental appropriation, provided—

HB 948, pages 1437, 1698, 1764, 1922, 1923, 1924, 1926, 1927

State employees, classification service of merit system, longevity pay provided—

SB 166, pages 45, 295, 360

GEOLOGICAL SURVEY

State geologist, authorized to contract with federal government for surveys—

SB 25, pages 9, 147, 179, 214, 262, 280

GOVERNOR

Widow of former governor, additional pension provided—

SB 701, page 864

GOVERNOR'S EDUCATIONAL REFORM COMMISSION

Membership increased—

SB 577, page 392

GUARDIAN, LEGAL

Child custody, crime of interference to include parent secreting child from other parent—

SB 693, page 789

Guardian, appointment for "developmentally disabled" persons provided—

SB 503, pages 294, 870, 977, 1371, 1424

HABEAS CORPUS

Writ of, granted without delay, exceptions—

HB 461, pages 690, 884, 1922, 1923, 1924, 1926, 1927

HABITUAL OFFENDERS

Felons, certain multiple offenses to be construed as one offense under habitual offender act—
SB 608, pages 557, 882

HANDICAPPED

Guardian, appointment for “developmentally disabled” persons provided—
SB 503, pages 294, 870, 977, 1371, 1424

Home health care and hospice services, state board of health to license—
SB 78, page 18

Income tax, certain deductions to individual and corporations provided for expenses in removal of barriers to handicapped—
SB 87, pages 19, 148, 217, 243, 261, 280, 322, 327, 344, 434, 1487, 1681, 1816, Act no. 85-545
SB 201, page 52

Motor vehicles, parking in handicapped place without proper decal, penalties provided—
HB 2, pages 1364, 1746, 1759, 1922, 1923, 1924, 1926, 1927, 1950

Tax exemptions, certain blind vendors exempt from sales, use and gross receipt taxes—
SB 140, pages 28, 178, 240, 261, 676, 884, 909, 1434, 1444, 1527, Act no. 85-574

Voters, registration and polling places shall be accessible to handicapped and elderly—
SB 89, pages 20, 70, 85, 128, 139, 180, 199, 203, 422, 538, Act no. 85-234

HAZARDOUS WASTE

Environmental management department, control regulated, abatement and prevention of pollution and environmental problems—
SB 719, page 1083
HB 743, pages 1091, 1758, 1766, 1770, 1924, 1941

Environmental protection superfund established, appropriation made from interest on oil lease revenues—
SB 10, pages 6, 413, 613, 896, 946, 1256, 1263, 1369, 1423

Ownership, Alabama right-to-know law, established—
SB 325, pages 99, 173, 240, 244, 327, 369, 377, 749, 752, 753, 755, 1076, 1369
HB 266, page 1418

Storage facilities and disposal sites, department of environmental management to monitor—
HB 280, pages 515, 963, 1886, 1888, 1890, 1903, 1916, Act no. 85-751

Toxic substances, contractors liability, list established, council created to administer—
SB 435, pages 229, 266, 304, 381, 416, 453, 516, 656, 675, 1865, 1899, 1958, Act no. 85-658

Transporting through tunnels, prohibited—
HB 532, pages 1440, 1759, 1768

HEAD START PROGRAMS

Tax exemption provided—
SB 632, page 615

HEALTH

Abortion and reproduction health centers, certificate of need required—
SB 182, page 47

Abortions performed on minors, parental notification required—
SB 393, page 163

Aged health care recipient ombudsman act, established, commission on
aging to administer—
SB 31, page 9
SB 66, pages 16, 237, 259, 708, 803, 821, 822, 826, 889, 1942, 1954,
1959, Act no. 85-657

Alcoholic beverages, licensees to post warning signs of danger of alcoholic
beverages to pregnant women—
SB 303, pages 93, 178, 616, 749, 750, 751, 775

Alcoholism, drug abuse, treatment of, minimum insurance provided—
SB 14, pages 7, 409, 468, 765, 804, 847, 920

County boards of health, composition, duties, altered—
SB 570, page 391

Drugs, unlawful to engage in certain activities relating to drug para-
phernalia—
SB 293, pages 91, 400, 591

Health care, conversion of bed for different type service, certificate of
need required—
SB 613, pages 558, 681, 718, 941, 1325, 1400

Health care facility, definition altered—
SB 514, page 315

Health department employees, appointment authority in absence of
health officer, clarified—
SB 332, pages 100, 300, 431

Health planning and development agency, supplemental appropriation
provided from general fund—
HB 948, pages 1437, 1698, 1764, 1922, 1923, 1924, 1926, 1927

Home health care and hospice services, state board of health to license—
SB 78, page 18

Home health care, private duty, hospice services, licensing regulated—
SB 692, page 789

Life care facilities, securities commission to regulate—
SB 391, pages 163, 295, 430, 765, 804, 888, 926

On-site disposal systems regulated prior to subdivision being approved—
HB 457, page 1239

Prescription drugs, pharmacies authorized to accept certain uncontam-
inated drugs for return—
SB 562, pages 390, 963

HEALTH (Continued)

School personnel, examination for tuberculosis, required—
SB 99, pages 21, 79, 151

Sickle cell anemia, susceptible infants to be tested at birth—
SB 211, pages 53, 414, 468, 766, 1346, 1399

State health planning and development agency, certificate of need application fees, paid into state general fund—
SB 342, pages 102, 233, 263

Toxic substances, contractors liability, list established, council created to administer—
SB 435, pages 229, 266, 304, 381, 416, 453, 516, 656, 675, 1865, 1899, 1958, Act no. 85-658

HEALTH DEPARTMENT, COUNTY

Composition, duties, altered—
SB 570, page 391

Employees, appointed authority in absence of health officer, clarified—
SB 332, pages 100, 300, 431

HEALTH DEPARTMENT, STATE

Public health, state committee of, payment of per diem and mileage, altered—
SB 26, pages 9, 299, 431, 1004, 1371, 1425
SB 322, page 98
HB 70, pages 308, 413, 732, 1886, 1897

Supplemental appropriation for purchase of certain vaccine provided—
SB 432, pages 229, 398, 616

HIGH TECHNOLOGY

Commission on two-year college high technology education, established—
SB 582, pages 394, 634, 720, 773, 804, 889, 931

Technological advancement, Alabama foundation for, established—
SB 515, pages 315, 415, 799, 939

HIGHWAY DEPARTMENT

Directed to erect marker on U.S. highway 80 designating place where Viola Luizzo was killed—
SB 663, page 713

Highway director, authorized to administer public transportation programs—
SB 620, page 559
HB 627, pages 506, 881, 1113, 1886, 1893, 1893, 1895, 1897, 1916, Act no. 85-753

Rapid rail transit commission transferred from economic and community affairs department to highway department—
SB 353, pages 104, 412, 599

Supplemental appropriation provided—
SB 555, pages 388, 549, 743, 1332, 1332, 1890, 1900, 1958, Act no. 85-659

HIGHWAYS

- Advertising on state right-of-way regulated—
SB 234, pages 61, 415, 481, 944
- Agricultural aircrafts permitted to land and take off on lightly traveled local highways, director of highway department to grant permission—
HB 618, pages 1420, 1759, 1768
- Common carriers transporting gasoline, marking of vehicle regulated—
SB 552, pages 372, 544, 599
HB 817, pages 687, 881, 1076
- Counties of 100,000 persons or less, highways to be maintained by state, distribution of county road funds provided—
SB 392, page 163
- Motor vehicles, measuring and weighing by peace officers regulated—
SB 233, pages 61, 410
- State right-of-way, commercial enterprises prohibited on—
SB 236, pages 62, 411, 599
- Telephone call boxes, on certain highways, authorized—
HB 275, pages 513, 881, 1922, 1923, 1924, 1926, 1927, 1951, 1956
- Truck length and width regulated—
HB 483, pages 953, 1759, 1768, 1922, 1923, 1924, 1926, 1927
- Trust fund created for certain counties and municipalities road construction and repair, oil lease moneys appropriated, bonds issued and proceeds distributed, CA—
SB 6, page 5

HISTORICAL PRESERVATION

- “Africatown, U.S.A. national park” in city of Prichard, established—
SB 638, pages 628, 721, 802, 944, 1322, 1360
- Alabama civil war institute established at Tannehill historical state park—
SB 369, pages 133, 407, 463
- Citronelle, oil and gas tax proceeds, distributed to volunteer rescue squad and historical society, board established—
HB 180, pages 189, 302, 318, 352, 983, 1172, 1234, Act no. 85-490
- “State black archives, research center and museum” at Alabama agricultural and mechanical university created, appropriation provided—
HB 78, pages 957, 1698, 1760

HOLIDAYS

- Public holidays, national memorial day added and mardi gras discontinued—
SB 136, pages 27, 70, 185, 243, 416, 447, 448, 453, 482, 513, 515
- State observance of, altered—
SB 413, page 207

HOMESTEAD EXEMPTION

Ad valorem tax, homestead exemption for elderly, further provided—
SB 245, pages 64, 236, 305, 935
HB 514, pages 1415, 1698, 1761

School taxes subject to homestead exemption, defined—
SB 352, page 103

HORSE RACING

Class 1 municipalities, horse racing revenues provided for—
HB 740, page 792

HOSPICES

Home health care and hospice services, state board of health to license—
SB 78, page 18

HOSPITALS

Alcoholism, drug abuse, treatment of, minimum insurance provided—
SB 14, pages 7, 409, 468, 765, 804, 847, 920

Bid law, state hospitals, exemption provided—
SB 123, pages 25, 124, 218, 241, 322, 328, 337, 417, 454, 565, 856,
1087
HB 146, pages 514, 632, 682, 937, 1280, 1795, 1882, 1908, Act no.
85-689

Certificate of need, two year moratorium imposed—
SB 635, page 615
HB 722, pages 704, 1758, 1767

Health care, conversion of bed for different type service, certificate of
need required—
SB 613, pages 558, 681, 718, 941, 1325, 1400

Hospital hospitality house of Huntsville, inc., tax exemption provided—
SB 302, page 93

Hospital insurance policy, includes mental health service, reimbursement,
counselor required—
SB 181, page 47

Hospital workers, retired, cost-of-living increase by counties authorized—
SB 319, pages 98, 295, 369

Law enforcement officers and firemen, preferential treatment for ad-
mission—
SB 7, pages 6, 403, 559, 765, 803, 832, 1490, 1681, 1816, Act no.
85-542

Loss of state tax exemptions because of refusal to admit patient to
neonatal unit provided—
SB 4, pages 5, 299, 599

HOUSE OF REPRESENTATIVES

Elections, procedures for special elections to fill vacancies in legislature
provided—
HB 557, pages 687, 879, 1922, 1923, 1924, 1926, 1927

HOUSING AUTHORITIES

Housing finance authority, legislative intent expressed regarding senior citizens—

SB 139, pages 28, 177, 803, 1086

SB 566, pages 390, 870

HOUSING, MANUFACTURED

Manufactured housing commission created—

HB 600, pages 699, 724, 800, 946, 1113, 1425, 1522, 1803, 1907,
1908, Act no. 85-691

HUMANE SOCIETY

Animal seizure office, established, civil remedies for protection of abused animals provided—

SB 617, pages 558, 962

Animals, humane officers authorized to take control of certain animals found neglected or mistreated—

SB 151, pages 31, 72, 77, 265, 350, 367, 804, 888, 924, 925, 926,
926

INCOME TAX

Alimony defined, defer recognition of gain on transfers of property incident to divorce—

SB 152, pages 31, 81, 104, 197, 221, 222

Certain deductions to individuals and corporations provided for expenses in removal of barriers to handicapped—

SB 87, pages 19, 148, 217, 243, 261, 280, 322, 327, 344, 434, 1487,
1681, 1816, Act no. 85-545

SB 201, page 52

Check-off to finance “keep the stallions in Alabama” trust fund authorized—

HB 969, pages 954, 1521

Children’s trust fund, amount donated to from income tax refund altered—

SB 341, page 101

SB 546, pages 349, 413, 598, 1340

HB 927, pages 1243, 1698, 1763

Corporate income tax, reform provided—

SB 568, page 391

HB 669, pages 848, 960, 1113, 1331, 1331, 1407, Act no. 85-515

Corporations, tax credit for child day care centers provided—

SB 495, page 293

Deductions for corporations, allowed same as individuals for donations to state of Alabama, charities and educational institutions—

SB 423, pages 209, 398, 591, 707, 895, 1255, 1263

Pensions and security to withhold refunds for debts—

SB 255, pages 65, 303, 430

HB 90, pages 1438, 1746, 1760

Private pension plans, income tax exemption provided—

SB 238, page 62

INCOME TAX (Continued)

Retirement allowances of cities and counties tax exemption provided—
SB 2, page 5

Single head of household, certain exemptions authorized—
SB 517, page 315

INDIAN AFFAIRS COMMISSION

Members to include the Cherokees of Jackson county—
HB 569, pages 1420, 1680, 1762, 1924

Members to include the Ma-Chis Lower Creek Indian tribe—
HB 603, pages 510, 632, 801, 1808, 1886, 1886, 1903, 1916, Act no.
85-738

INDIGENTS

Fair trial tax receipts authorized for providing prosecutorial services in
municipal and circuit courts on appeal—
SB 69, page 17
SB 619, page 559

INDUSTRIAL DEVELOPMENT

Alabama development office prohibited from restricting its industrial
site preparation grants—
SB 179, page 47

Commercial development authorities to promote trade and commerce in
class 1, 2, and 3 municipalities, sections amended to include class
7 and 8 municipalities—
SB 668, pages 714, 869, 1113

Downtown redevelopment authorities, authorized, powers, exemptions
and duties prescribed—
SB 581, pages 393, 635, 676, 975
HB 920, pages 1432, 1518, 1808, 1922, 1923, 1924, 1925, 1927, 1928,
1952, 1956, Act no. 85-683

Industrial development, industrial access road construction provided,
public corporation formed to issue bonds—
SB 492, pages 292, 549, 733, 742, 967, 977, 1002, 1079, 1488, 1682,
1816, Act no. 85-549

Municipal-county port authorities, certain public entities authorized to
give financial aid—
SB 374, pages 134, 235, 304, 1004, 1371, 1425

Real property, sales contracts between industrial development boards
and foreign development and investors to have three-year conditional
buy-back agreement—
SB 631, page 615

INDUSTRIAL DEVELOPMENT BOARD

Company officer or employee authorized to serve as director in lieu of
judge of probate—
HB 578, page 957

Real property, sales contracts between industrial development boards
and foreign development and investors to have three-year conditional
buy-back agreement—
SB 631, page 615

INDUSTRIAL RELATIONS DEPARTMENT

Child labor law, hours regulated—

SB 365, pages 133, 236, 429, 776, 804, 888, 929, 947

HB 86, page 1418

Law enforcement officers authorized to keep badges and pistols upon retirement—

HB 489, pages 1366, 1680, 1761, 1922, 1923, 1924, 1925, 1927, 1948

Unemployment compensation, emergency employer surcharge and termination of employee, contribution defined—

SB 714, page 1082

Workmen's compensation law, title and references changed to Alabama workers' compensation law—

SB 394, pages 163, 237

HB 475, pages 308, 405, 903

INSANITY

Criminals, mentally ill, procedure for hearings prior to release of defendant who committed crime while mentally ill, provided—

SB 321, page 98

Defense to criminal proceedings, test established—

SB 74, page 17

INSURANCE

Alcoholism, drug abuse, treatment of, minimum insurance provided—

SB 14, pages 7, 409, 468, 765, 804, 847, 920

Municipalities, authority to license insurance companies, regulated—

SB 37, page 11

INSURANCE DEPARTMENT

Insurance, acquisitions and mergers of domestic insurance companies regulated—

SB 91, pages 20, 295, 424, 733, 967, 975, 1004

Insurance commissioner authorized to levy civil penalty for violations of Title 27—

SB 216, page 59

Insurance regulatory trust fund, established, license fees increased—

SB 283, pages 89, 149, 263, 565, 749, 755

SB 330, page 99

INSURANCE, DISABILITY

Surplus line insurance, companies and policies further regulated—

SB 239, pages 62, 149, 241, 939

INSURANCE, GENERAL

African development bank, insurance companies authorized to invest in—

SB 290, page 90

SB 291, pages 91, 149, 179, 939, 1329

SB 430, pages 229, 326, 430, 933

Companies, amount of service charges increased—

SB 488, page 291

INSURANCE, GENERAL (Continued)

Premium finance companies, regulated—
HB 878, pages 1246, 1518

Salesmen, continuing education program, minimum requirements, established—
SB 77, pages 18, 680

Variable life and annuity contracts, language clarified—
SB 173, pages 46, 69, 77

Workmen's compensation, state agencies to provide through department of finance for each state employee on pro rata basis, department of finance to administer—
SB 715, page 1083

INSURANCE, HEALTH

Counties and municipalities, authorized to provide insurance coverage for retired employees—
SB 494, pages 293, 404, 599

Film commission, employees authorized to be members of state employees' health insurance and retirement plans, retroactive date provided—
SB 338, pages 101, 297, 429, 770

Health and accident self-insurance group authorized for officers and employees of municipalities, use of public funds authorized—
SB 113, pages 23, 69, 369
HB 112, pages 699, 964, 1281

Hospital insurance policy, to include mental health services, reimbursement, counselor required—
SB 181, page 47

Hospital or medical, certain services of clinical mental health counselors included in contract—
SB 383, page 161

Retired employees, election to continue coverage under group insurance plan, premium paid by state—
SB 285, pages 89, 232, 263, 363, 676, 884, 910, 1750, 1795, 1816, 1881, 1904, 1919, 1958, Act no. 85-649

State employees' insurance board, retired members authorized—
SB 280, pages 88, 149, 331, 367, 416, 453, 484, 1329, 1427, 1441, Act no. 85-642
SB 292, pages 91, 235, 263, 363, 365

Uniform group health for city, county employees, local employees' health insurance board, established—
SB 220, pages 59, 149, 179, 976

INSURANCE, LIABILITY

Motor vehicles, mandatory liability insurance provided, penalties provided—
SB 242, pages 63, 680, 720, 770, 897, 1256, 1370, 1423

Uninsured motorist coverage, minimum established—
SB 449, page 250

INTEREST RATES

Banks, definition of "finance charge" exclusions conformed to federal banking laws—

SB 496, pages 293, 556, 800, 934

HB 708, pages 1106, 1762, 1886, 1902, 1902, 1908, 1910, 1911

Usury statute, conforms term "finance charge" to federal definition—

SB 222, page 59

INTERSTATE CORRECTIONS COMPACT

Established—

SB 440, page 247

SB 470, pages 289, 404, 591

HB 667, pages 1091, 1520, 1837, 1865, 1916, Act no. 85-752

INVESTIGATORS

District attorney investigators, minimum qualifications, law enforcement powers conferred—

SB 675, page 716

District attorney investigators, paid same subsistence allowance paid certain law enforcement officers—

SB 178, page 46

SB 658, pages 712, 869, 1280

SB 676, pages 716, 869

HB 542, pages 1441, 1520, 1886, 1893, 1916, 1922, 1923, 1924, 1926, 1927, Act no. 85-754

District attorneys, qualifications for investigators employed by, certain law enforcement powers granted—

SB 669, pages 715, 869, 1280

INVESTMENTS

African development bank, executors and fiduciaries authorized to invest in—

SB 290, page 90

SB 291, pages 91, 149, 179, 939, 1329

SB 430, pages 229, 326, 430, 933

Retirement systems, prohibited from investing in South Africa and Namibia, three-year divestment provided—

SB 653, page 712

JAILS

Counties, supplemental appropriation provided for expenses of state prisoners housed in county jails—

SB 214, pages 54, 148, 218

Prisoners, certain, prohibited from serving in county jails—

SB 699, page 863

JUDGE, APPELLATE

Court of civil appeals, authorized to administer oaths—

SB 389, pages 162, 402, 468, 897, 1256, 1370, 1423

Court of civil appeals, authorized to hire additional attorneys—

SB 390, pages 163, 401, 468, 896, 1256, 1265, 1369, 1423

JUDGE, CIRCUIT

- Circuit judges, who are retired but have served on full-time active duty status with appellate court, additional benefits provided, computation method altered—
SB 665, page 714
- Judicial retirement system, certain circuit judges may credit prior service from teachers' retirement system—
SB 557, pages 389, 868, 959, 1328

JUDGE, DISTRICT

- Salary regulated—
HB 490, pages 688, 727, 893, 935, 1925
- Spouse death benefits, provided for—
SB 76, pages 18, 149, 179, 219, 417, 453, 534

JUDGE, PROBATE

- Authorized to microfilm weekly newspapers—
HB 860, pages 1106, 1680, 1763
- Bond required for
HB 247, pages 1436, 1761
- Cost-of-living increase to spouses, graduated percentage, under judicial retirement fund, provided—
SB 683, page 787
- Fees to, for copies of instruments—
SB 605, pages 463, 631, 720, 749, 752, 774, 1327
- Former, authorized to perform marriage ceremony—
HB 269, pages 497, 727
- Funds owed to mental incompetents payable to, increased—
SB 22, pages 8, 233, 262
- Industrial development boards, a county officer or employee may serve as director in lieu of judge of probate—
HB 578, page 957
- Municipal corporations, validation of certain attempted incorporations invalidated by procedure irregularities—
SB 597, page 461
HB 430, pages 691, 1680, 1761
- Placed on annual salary, paid out of county general fund—
HB 951, pages 1412, 1680, 1764
- Salary increase, minimum, provided—
SB 218, pages 59, 299, 387, 476, 565, 567, 594, 1324, 1882, 1884, 1907, 1919, 1958, Act no. 85-666
- Voting, deputy registrar required to be at court house during all official hours, board of registrars required to be open certain time prior to election deadline—
HB 468, pages 705, 883, 960

JUDGMENTS

Bail for persons charged with violations of municipal ordinance, appeal of judgment from municipal court to circuit court regulated—

SB 331, pages 100, 401, 1111

HB 40, pages 693, 726

Interest on money judgments, altered—

SB 616, pages 558, 726, 800

Judgments entered pursuant to pro tanto settlement clarified for inclusion with written receipts, releases—

SB 46, pages 13, 80, 151, 215

HB 220, pages 690, 727, 932, 1287, 1288, 1321, Act no. 85-517

JUDICIAL ADMINISTRATION

Court of criminal appeals, clerk authorized to hire assistant—

SB 94, pages 20, 80, 150, 220, 261, 281, 1952, 1954, 1959, Act no. 85-656

General fund budget, appropriation for ordinary expenses of executive, legislative and judicial departments—

SB 207, page 53

HB 332, pages 1107, 1505, 1537, 1538, 1643, 1798, 1798, Act no. 85-539

Judge of probate, funds owed to mental incompetents payable to, increased—

SB 22, pages 8, 233, 262

Judicial appellate nominating commission established, authorized to nominate to governor, appointees to all appellate judge positions, CA—

SB 564, page 390

Judicial officers and employees, compensation paid by counties shall be paid instead by state, phase-in period provided—

SB 147, page 30

JUDICIAL OFFICERS

Supreme court, appellate court, civil court and district court judges, nonpartisan election provided—

SB 673, page 715

JUDICIAL RETIREMENT SYSTEM

Circuit judges, certain, may credit prior service from teachers' retirement system—

SB 557, pages 389, 868, 959, 1328

District court judges, provides further for spouse death benefits—

SB 76, pages 18, 149, 179, 219, 417, 453, 534

Judges, re-open retirement system for certain previous service—

SB 576, pages 392, 680, 732

Judicial officers, certain state, allowed to receive credit for time spent in federal judiciary service—

SB 711, page 1082

Legislators and assistant district attorneys, reopened for certain—

SB 388, page 162

JUNIOR COLLEGE SCHOOL SYSTEM

Commission on two-year college high technology education, established—
SB 582, pages 394, 634, 720, 773, 804, 889, 931

Competitive bid law, preference given certain local contractors—
SB 50, page 14

Junior colleges, certain teachers authorized to purchase retirement in
teachers' retirement system—
SB 462, pages 287, 399, 616, 936

JURIES AND JURORS

Criminal procedure, state may demand jury trial when waived by de-
fendant—
SB 51, page 14

JUVENILES

Child custody, crime of interference to include parent secreting child
from other parent—
SB 693, page 789

Interstate compact on juveniles, additional remedies provided, juvenile
requisitioned from other state when violating any criminal law—
SB 189, pages 48, 303, 800, 938

Juvenile court proceedings further prescribed, upon transfer and certi-
fication as an adult offender thereafter tried as adult offender in
same courts—
SB 157, pages 43, 401, 481
HB 400, pages 689, 883, 1361

Juvenile probation officers, placed under administrative office of courts—
SB 244, pages 63, 550, 631, 940

Youth services revolving fund, established, funding and distribution,—
SB 188, pages 48, 238, 262

KINDERGARTENS

Textbooks, board of education to purchase for—
SB 112, pages 23, 408, 591, 939, 1285, 1359

Pupils included in minimum program fund—
SB 98, pages 21, 79, 151, 769, 857, 1087, 1129

LABOR

Corporations, foreign, franchise tax, exclusions for capital investment in
certain counties with high unemployment—
HB 837, pages 604, 681, 731, 774, 804, 845, 914, Act no. 85-412

Corporations, tax on stock shares, additional deductions for value of
certain property in certain counties with high unemployment—
HB 838, pages 604, 681, 731, 765, 845, 914, Act no. 85-413

Unemployment compensation, emergency employer surcharge and ter-
mination of employee contribution defined—
SB 714, page 1082

LABOR, GENERAL

Child labor law, hours regulated—

SB 365, pages 133, 236, 429, 776, 804, 888, 929, 947

HB 86, page 1418

Procedures for settlement of wage claim protests by commissioner of department of labor—

SB 61, pages 15, 145, 179, 218, 749, 756

LANDLORD-TENANT RIGHTS

Further defined—

SB 657, page 712

LANDS MANAGEMENT FUND

State land resources information center established within lands division of department of conservation—

HB 273, pages 494, 725, 896

LAW ENFORCEMENT OFFICERS

Arrest for misdemeanor or felony without a warrant authorized—

SB 375, pages 134, 551, 631

Auburn university police, powers altered—

SB 637, pages 628, 882, 950, 1333, 1333, 1435, 1444, 1527, Act no. 85-632

HB 906, pages 1095, 1509, 1826, 1861, Act no. 85-727

Capital punishment, murder of plainclothes law enforcement personnel punishable by death—

SB 498, page 293

District attorney investigators, minimum qualifications, law enforcement powers conferred—

SB 675, page 716

District attorneys, investigators for, subsistence allowance provided—

SB 178, page 46

SB 658, pages 712, 869, 1280

SB 676, pages 716, 869

HB 542, pages 1441, 1520, 1886, 1893, 1916, 1922, 1923, 1924, 1926, 1927, Act no. 85-754

District attorneys, qualifications for investigators employed by, certain law enforcement powers granted—

SB 669, pages 715, 869, 1280

Federal law enforcement officers, arrest power authorized—

SB 116, page 24

Industrial relations department, law enforcement officers authorized to keep badges and pistols upon retirement—

HB 489, pages 1366, 1680, 1761, 1922, 1923, 1924, 1925, 1927, 1948

Law enforcement officers and firemen, preferential treatment for hospital admission authorized in certain instances—

SB 7, pages 6, 403, 559, 765, 803, 832, 1490, 1681, 1816, Act no. 85-542

LAW ENFORCEMENT OFFICERS (Continued)

Minimum arresting officer manpower requirement for Alabama department of public safety—
SB 716, page 1083

Missing persons, prompt reporting to state and federal information centers provided—
SB 535, page 346

Missing persons, sharing of information concerning, among agencies—
SB 544, pages 348, 556, 598, 1340, 1356
HB 946, pages 1238, 1517, 1665, 1668, 1668, 1789, 1848, Act no. 85-699

Motor vehicles, driving under influence, law enforcement officer authorized to administer blood test in cases of death or serious injury, authorized to use force—
SB 480, page 290

Motor vehicles, measuring and weighing by peace officer, regulated—
SB 233, pages 61, 410

Municipal police, minimum compensation, established—
SB 132, pages 27, 172, 218, 749, 751, 769

Peace officers' annuity and benefit fund, disability benefits, new members prohibited from purchase of prior service—
SB 328, page 99
HB 435, pages 1437, 1520

Revenue department, powers regulated—
SB 361, pages 132, 681, 1113

Subsistence allowance payable to department of corrections—
SB 250, page 64

United States law enforcement officials, retired, exempt from pistol permit license—
SB 105, page 22

LEASES

Agricultural machinery, lease or rental, tax rate altered—
SB 611, page 557

LEGISLATIVE COMMITTEES

Interim legislative committees, required to be established by a bill, payment of state funds regarding, standing committee assignment—
SB 187, page 48

Legislative compensation commission, established, membership, terms, recommendation of committee enacted unless legislature rejects—
SB 282, pages 88, 235, 613

Legislative compensation commission, established, CA—
SB 370, pages 133, 265, 318, 945

Legislature, public health committee, expense allowance provided—
SB 26, pages 9, 299, 431, 1004, 1371, 1425
SB 322, page 98
HB 70, pages 308, 413, 732, 1886, 1897

LEGISLATIVE COUNCIL

Interim committees, control over certain, by, authorized—
SB 366, pages 133, 406, 592, 734, 968, 1011, 1079

LEGISLATIVE FISCAL OFFICE

Duties altered—
HB 724, pages 848, 1520

LEGISLATIVE PARKING

Legislature, additional parking facilities on capitol complex provided—
SB 121, pages 25, 177, 284, 365, 416, 511, 537, 1448, 1464, 1527,
Act no. 85-525

LEGISLATIVE REFERENCE SERVICE

Director, employment of personnel, regulated—
SB 130, pages 26, 70, 77, 118, 139, 180, 201, 1276, 1357, Act no.
85-499

LEGISLATORS

Judicial retirement system, reopened for certain legislators and assistant
district attorneys—
SB 388, page 162

Legislative compensation commission, established, membership, terms,
recommendation of commission enacted unless legislature rejects—
SB 282, pages 88, 235, 613

Legislative compensation commission, established, CA—
SB 370, pages 133, 265, 318, 945

LEGISLATURE

Additional parking facilities on capitol complex provided—
SB 121, pages 25, 177, 284, 365, 416, 511, 537, 1448, 1464, 1527,
Act no. 85-525

Elections, procedures for special elections to fill vacancies in legislature
provided—
HB 557, pages 687, 879, 1922, 1923, 1924, 1926, 1927

Interim legislative committees, required to be established by a bill,
payment of state funds regulated, standing committee assignment
regulated—
SB 187, page 48

Legislative reapportionment of house districts 88 and 89 provided—
SB 382, pages 161, 405, 650, 770, 1332

Revenue raising bills, two-thirds vote required, CA—
SB 648, page 630

LEMON LAW

Motor vehicles, refunds for failure to conform to warranties—
SB 102, pages 22, 324, 377, 771

Motor vehicle franchise act, altered, lemon law, prohibit unfair trade
practices—
SB 349, pages 103, 324, 468

LIBRARIES

Competitive bid law, preference given, certain local contractors—
SB 50, page 14

Library theft, crime of, created, penalties provided—
HB 650, pages 687, 883, 960

Public library service, supplemental appropriation provided for books
and materials, from special educational trust fund—
SB 573, page 392

Public library service, supplemental appropriation provided from special
educational trust fund, for renovation and construction of build-
ings—
SB 569, page 391

Public libraries, regulated further—
SB 583, page 458

LICENSE COMMISSIONER

Tax assessor, tax collector, revenue commissioner, license commissioner,
compensation—
SB 414, pages 207, 296, 318, 351, 416, 453, 482, 537

LICENSE PLATES

Disabled veterans, certain ones to qualify for distinctive license plates—
SB 700, page 864

Firemen, license plates, issuance of for each automobile—
SB 368, pages 133, 882, 945

Motor vehicles, license plates, registration fee increased—
SB 217, pages 59, 387

Prisoners of war and medal of honor recipients, distinctive tags, surviving
spouses entitled—
SB 90, pages 20, 122, 217, 360, 804

Prisoners of war and medal of honor recipients, license plates for two
cars authorized—
SB 205, pages 52, 122, 218

Prisoners of war, authorized to retain distinctive license plates—
SB 200, pages 52, 122, 217

Rescue squads, requirement for eligibility for distinctive license plates,
altered—
SB 610, pages 557, 722, 1277

Troy state university, commemorative tags, authorized—
SB 144, pages 29, 147, 185
HB 87, pages 505, 544, 599, 768, 804, 844, 913, Act no. 85-411

LICENSES AND LICENSING

Aged health care recipient ombudsman act created, commission on aging
to administer—
SB 31, page 9
SB 66, pages 16, 237, 259, 708, 803, 821, 822, 826, 889, 1942, 1954,
1959, Act no. 85-657

Agricultural machinery, lease or rental, tax rate altered—
SB 611, page 557

LICENSES AND LICENSING (Continued)

Alcoholic beverage licensing code, certain license may be renewed where dry county or dry municipality was wet when original license issued—

SB 286, pages 89, 172, 217, 262, 280, 323, 330, 1487, 1681, 1816,
Act no. 85-547

Automotive dismantlers and parts recyclers, licensing of—

SB 634, page 615

HB 730, pages 958, 1759, 1769

Barber examiners, state board of, procedures for licensing and practice of barbering and barber colleges provided, penalties—

SB 591, pages 460, 879, 950

Certificates of need, moratorium imposed—

SB 635, page 615

HB 722, pages 704, 1758, 1767

Driver's, issued to senior citizens, fee decreased—

SB 465, pages 288, 326, 369

Electrical contractors, board of, established, regulations—

HB 577, pages 1415, 1703, 1762

Exotic bird business, regulated—

SB 416, pages 208, 633, 730, 771, 818, 1087, 1128, 1130

Funeral services, Alabama board of, education required and further altered, reinstatement of license, apprenticeships further provided—

SB 1, page 4

Game and fish, county license fees for nonresident fishing licenses increased, distributed—

SB 8, pages 6, 71, 220, 240, 749, 756, 761

Health care facility, definition altered—

SB 514, page 315

Home health care and hospice services, state board of health to license—

SB 78, page 18

Home health care, private duty, hospice services, licensing regulated—

SB 692, page 789

Hunter education, conservation and natural resources department to implement—

SB 595, pages 460, 961, 1113

Hunting licenses, nonresident, fees altered—

SB 350, pages 103, 632, 741, 770

Hydroelectric power, sellers of, issuance and renewals, due in August of each year—

SB 485, page 291

Insurance regulatory trust fund, established, license fees increased—

SB 283, pages 89, 149, 263, 565, 749, 755

SB 330, page 99

Motor vehicles, license fees altered—

SB 85, page 19

LICENSES AND LICENSING (Continued)

Municipalities, authority to license insurance companies, regulated—
SB 37, page 11

Nursing home administrative board, fees increased—
SB 574, pages 392, 963

Pharmacists, license fee increased—
HB 194, pages 467, 548, 596, 945, 955, 1370, 1424, 1521, 1802, 1848,
Act no. 85-702

Teaching certificate, applicant fee increased—
SB 159, page 44

Transient merchants, regulated—
SB 516, pages 315, 680
HB 771, pages 1364, 1703, 1762, 1837, 1864, 1895, 1909, Act no.
85-693

Trucks used by farmers, license tax and registration fee, exempt from
1984 tax increase and delinquent penalty—
SB 108, page 23

United States law enforcement officials, retired, exempt from pistol
permit license—
SB 105, page 22

LICENSES, TAX

Municipalities, authorized to collect occupational license taxes in certain
areas beyond corporate limits—
SB 460, page 287

LIENS

Ad valorem tax, procedures for giving notice to former owner on re-
demption sales for delinquent taxes—
SB 15, pages 7, 80, 151, 213, 262, 323, 337, 344
SB 403, pages 165, 400, 591

Condominium owners, certain voting rights adjusted, manner of recording
regulated—
SB 277, page 88

Foreclosure sale, notice of, counties with no newspaper, regulations
provided—
HB 467, pages 305, 551

Tax liens, uniform optional filing fee in lieu of other fees provided—
SB 421, pages 209, 404, 682, 936

LIVINGSTON UNIVERSITY

Board of trustees at certain state colleges, additional membership pro-
vided—
SB 137, page 27

LOANS

Garnishment, state law altered to conform to federal law—
SB 347, pages 103, 400, 650, 772, 777, 968, 1013

LOCAL GOVERNMENT

County commissions authorized to set day and time of meetings—
SB 36, pages 10, 405, 599

LOCAL GOVERNMENT TRUST FUND

Local government capital improvement fund established, distribution of certain oil and gas revenues—

SB 439, page 247

SB 505, pages 313, 397, 481

HB 649, pages 688, 724, 1837, 1837, 1841, 1843, 1845, 1847, 1849

LOUISIANA-MISSISSIPPI-ALABAMA RAPID RAIL TRANSIT COMMISSION

Appropriation

SB 247, page 64

LUIZZO, VIOLA

Highway department, directed to erect marker on U.S. highway 80 designating place where Viola Luizzo was killed—

SB 663, page 713

LYMAN WARD MILITARY ACADEMY

Appropriation provided—

SB 204, pages 52, 399, 592

HB 453, pages 689, 1506, 1537, 1643, 1655, 1657, 1806, 1847

MANUFACTURING

Alabama development office prohibited from restricting its industrial site preparation grants—

SB 179, page 47

MAYORS

Fire marshal, chiefs-of-police, marshals and mayors of incorporated municipalities deleted as assistant fire marshals—

SB 174, pages 46, 69, 150, 801, 1086

Municipalities, special election to fill vacancies in mayor's office provided—

SB 304, page 93

MEDICAL LICENSURE COMMISSION

Medical examiners, board of, and medical licensure commission, sunset law review, modified, litigation fund established, disposition of funds, members compensation—

HB 164, pages 487, 547, 597, 612, 622, 643, Act no. 85-338

MENTAL HEALTH

Attorneys, fees for representing indigent persons in commitment hearings, altered—

SB 572, page 391

Criminals, mentally ill, procedure for hearings prior to release of defendant who committed crime while mentally ill—

SB 321, page 98

Hospital insurance policy, to include mental health services, reimbursement for counselor required—

SB 181, page 47

MENTAL HEALTH (Continued)

Insurance, hospital or medical, certain services of clinical mental health counselors included in contract—
SB 383, page 161

Mental health board, superintendent and physicians, depositions permitted in civil and criminal cases—
SB 83, pages 19, 81, 151, 178, 220, 270, 893, 1254, 1257

Mentally ill, exclusion from residential areas by zoning laws prohibited—
SB 559, pages 389, 963, 1116, 1299, 1300, 1360

Mentally retarded, exclusion from residential areas by zoning laws prohibited—
SB 560, pages 389, 963, 1116

MENTAL HEALTH DEPARTMENT

Child care facilities, records and background information checks on operators and other employees authorized—
HB 646, pages 691, 726, 1281

Children in custody of, discharge procedure—
SB 436, pages 230, 412, 925
HB 613, pages 1090, 1758, 1765, 1922, 1923, 1924, 1926, 1927, 1950

Hospital orderlies granted merit system status—
SB 426, pages 228, 414, 925, 1351

Hospitals, operated by state, exempt from competitive bid law—
SB 123, pages 25, 124, 218, 241, 322, 328, 337, 417, 454, 565, 856, 1087

Mental health department and mental retardation, established as special school district, district superintendent of education appointed by commissioner—
SB 438, page 247
HB 629, pages 514, 1759, 1769

MENTAL RETARDATION

Judge of probate, funds owed to mental incompetents payable to, increased—
SB 22, pages 8, 233, 262

Testing defendants for, between arrest and first court appearance, provided—
SB 12, pages 6, 81, 201, 213, 416, 453, 516, 1796, 1840, 1958, Act no. 85-652

MERCHANTS

Transient, regulated—
SB 516, pages 315, 680
HB 771, pages 1364, 1703, 1762, 1837, 1864, 1895, 1909, Act no. 85-693

MILITARY

Billeting revolving fund established—
SB 23, pages 8, 122, 220, 242, 763, 1408, 1428, 1441, Act no. 85-638

Divorce, military retirement pay, considered property in distribution—
SB 348, pages 103, 551, 733
SB 357, page 132

MILITARY (Continued)

- G.I. education act, spouses recognized, delimiting dates removed—
SB 441, pages 247, 416, 599
HB 64, pages 957, 1759, 1769, 1886, 1899, 1918, Act no. 85-758
- Prisoners of war and medal of honor recipients, distinctive tags, surviving spouses entitled—
SB 90, pages 20, 122, 217, 360, 804
- Prisoners of war and medal of honor recipients, license plates for two cars authorized—
SB 205, pages 52, 122, 218
- Retirement systems, certain military service credit authorized—
SB 451, pages 250, 326, 516, 975
HB 823, pages 1416, 1521, 1922, 1923, 1924, 1926, 1927
- Veterans service medal, established—
SB 461, pages 287, 416, 1280

MINES AND MINING

- Coal mine safety, provided further—
SB 299, pages 92, 407, 682
- Walker state technical college, Alabama mining academy established—
HB 854, pages 1415, 1759, 1767, 1886, 1901, 1918, Act no. 85-760

MINORS

- Abortions, performed on minors, parental notification required—
SB 393, page 163
- Adoption, foster parent applicants, department of pensions and security authorized to conduct criminal history investigations—
SB 538, pages 347, 554, 598, 708
HB 940, pages 1241, 1516, 1666, 1668, 1668, 1782, 1799, Act no. 85-537
- Alcoholic beverages, legal age to purchase, consume, possess, transport, raised to 21 years old, penalties provided—
SB 226, page 60
HB 6, pages 198, 403, 484, 676, 676, 764, 803, 822, 852, 1405, 1406, 1801, 1911, 1940, Act no. 85-687
- Child abuse, definitions expanded to include sexual abuse and exploitation, penalties provided—
SB 540, pages 348, 555, 598, 946
HB 942, page 1365
- Child custody, crime of interference to include parent secreting child from other parent—
SB 693, page 789
- Child protection teams, established in counties by pensions and security department, to protect children against child abuse—
SB 543, pages 348, 555, 598, 1341
HB 945, pages 1237, 1517, 1665, 1668, 1668, 1783, 1787, 1789, 1903, 1910, Act no. 85-682
- Child victims of sexual abuse or exploitation, certain protections granted regarding identity, interviews, and the concealing of court records, penalties provided—
SB 545, pages 349, 556, 598, 1340
HB 947, pages 1238, 1518, 1665, 1668, 1668, 1790, 1905, 1913, Act no. 85-742

MINORS (Continued)

Civil liability, maximum amount parent liable for damage by minor, increased—

SB 563, pages 390, 882

Corporations, tax credit for child day care centers provided—

SB 495, page 293

Criminal history checks for sex crimes authorized on persons having direct supervision of minor—

SB 539, pages 347, 554, 598, 708, 709, 763

HB 941, pages 1244, 1517, 1664, 1667, 1668, 1791, 1902, 1910, Act no. 85-681

Judge of probate, funds owed to mental incompetents payable to probate judge, increased—

SB 22, pages 8, 233, 262

Juvenile court proceedings further prescribed, upon transfer and certification as an adult offender thereafter tried as adult offender in same courts—

SB 157, pages 43, 401, 481

HB 400, pages 689, 883, 1361

Missing persons, time and manner of investigations, penalties for false reporting provided—

SB 30, pages 9, 80, 201, 214, 262, 323, 341

Missing school children, lists, required to compile—

SB 534, page 346

Schools, must report child's absence to parent or guardian by 10:00 a.m. on school day—

SB 533, pages 346, 553, 598, 1339

Sexual abuse offenders, special paroling procedure provided—

SB 542, pages 348, 555, 598, 1341

HB 944, page 1237

State parent locator, revenue department to furnish information—

SB 258, pages 66, 237, 323, 934, 1327, 1399

Welfare, 18 year old limitation, repealed—

SB 259, pages 66, 304, 377

Youthful offenders, once transferred to criminal court as adult, always tried as adult—

SB 157, pages 43, 401, 481

HB 400, pages 689, 883, 1361

MISSING PERSONS

Missing persons information center established within department of public safety—

SB 532, pages 346, 553, 598, 749, 751, 932, 1342, 1400

HB 936, pages 1240, 1515, 1664, 1667, 1668, 1777, 1799, Act no. 85-538

Missing school children, lists, required to compile—

SB 534, page 346

Prompt reporting to state and federal information centers provided—

SB 535, page 346

MISSING PERSONS (Continued)

Schools, must report child's absence to parent or guardian by 10:00 a.m. on school day—

SB 533, pages 346, 553, 598, 1339

Time and manner of investigations, penalties for false reporting provided—

SB 30, pages 9, 80, 201, 214, 262, 323, 341

MOBILE HOMES

Finance statement filing, regulated—

SB 307, pages 93, 411, 599

MOTOR CARRIERS

Public service commission, increased funding for motor carrier operations—

SB 162, pages 44, 147, 284, 367, 749, 750, 1796, 1840, 1958, Act no. 85-653

MOTOR VEHICLES

Alcoholic beverages, open containers in, prohibited, penalties provided—

SB 274, pages 87, 402

Certificate of title and antitheft act, uniform, amended—

SB 175, pages 46, 147, 284, 367

HB 163, pages 166, 297, 645, 1836, 1858, 1922, 1923, 1924, 1926, 1927, Act no. 85-705

Certificate of title for, modified—

SB 596, page 461

Chop shops defined, operation prohibited—

SB 671, pages 715, 883

Common carriers of gasoline, markings of vehicle, regulated—

SB 552, pages 372, 544, 599

HB 817, pages 687, 881, 1076

Crimes and offenses, assault in first degree to include causing injury with vehicle while driving under influence—

SB 52, page 14

Dismantlers, two additional categories regulated, licensed—

SB 634, page 615

HB 730, pages 958, 1759, 1769

Driver's license, duplicate, fees increased—

SB 476, pages 290, 406, 1280

Driving under influence, chemical test to include controlled substances—

SB 58, page 15

Driving under influence, law enforcement officer authorized to administer blood test in cases of death or serious injury, authorized to use force—

SB 480, page 290

Franchise act, altered, lemon law, unfair trade practices prohibited—

SB 349, pages 103, 324, 468

Hazardous wastes, transporting through tunnels, prohibited—

HB 532, pages 1440, 1759, 1768

MOTOR VEHICLES (Continued)

Headlights required to be on during fog and rain—

SB 20, pages 8, 147, 262

Highways, trucks length and width, regulated—

HB 483, pages 953, 1759, 1768, 1922, 1923, 1924, 1926, 1927

Leaving scene of an accident, new penalties provided—

SB 316, pages 97, 402, 469, 707, 749, 751

Lemon law, motor vehicles, refunds for failure to conform to warranties provided—

SB 102, pages 22, 324, 377, 771

License fees altered—

SB 85, page 19

License plates, registration fee increased—

SB 217, pages 59, 387

Licenses, driver's licenses issued to senior citizens, fee decreased—

SB 465, pages 288, 326, 369

Light cast on real property at certain night hours, unlawful, penalties provided—

SB 278, pages 88, 145, 220

HB 466, pages 510, 962, 1111

Mandatory liability insurance provided, penalties—

SB 242, pages 63, 680, 720, 770, 897, 1256, 1370, 1423

Measuring and weighing by peace officer, regulated—

SB 233, pages 61, 410

Motor-driven cycle operators licensed after demonstrating competent operation—

HB 34, pages 1419, 1746, 1760, 1922, 1923, 1924, 1925, 1927, 1939, 1941, 1955

Motorcycle dealer franchises, dealing with wholesalers and manufacturers, regulated—

SB 588, pages 459, 797

Municipalities and counties, regulation of private "for hire" motor vehicles authorized—

SB 630, pages 614, 881, 1233

Parking in handicapped place without proper decal, penalties—

HB 2, pages 1364, 1746, 1759, 1922, 1923, 1924, 1926, 1927, 1950

Recreational vehicles included in definition of—

SB 3, pages 5, 147, 424

Recreational vehicles, license tax decreased—

SB 296, pages 91, 233, 262

MOTOR VEHICLES (Continued)

- Rescue squads, requirement for eligibility for distinctive license plates, altered—
SB 610, pages 557, 722, 1277
- Safety belts, requirement of front seat occupants in passenger cars, Alabama safety belt use act, established—
SB 592, pages 460, 552, 630
HB 476, pages 847, 964, 1170, 1925
- School buses, seatbelts required by certain date—
SB 133, pages 27, 173, 218
- Taxation, levy and collection of municipal sales and use tax on sale of certain vehicle authorized—
SB 521, pages 316, 399, 732, 772, 803, 804, 857, 890
- Troy state university, commemorative tags authorized—
SB 144, pages 29, 147, 185
HB 87, pages 505, 544, 599, 768, 804, 844, 913, Act no. 85-411
- Trucks used by farmers, license tax and registration fee, exempt from 1984 tax increase and delinquent penalty—
SB 108, page 23
- Uniform certificate of title and antitheft act, surrender of vehicle, identification number plate requirement altered, salvage certificate, insurance company exemption total loss redefined, inspection, chop shops prohibited—
SB 672, pages 715, 869, 1280, 1290, 1290, 1400, 1930, 1955, 1959, Act no. 85-650
- Uniform certificate of title definition altered—
SB 175, pages 46, 147, 284, 367
HB 163, pages 166, 297, 645, 1836, 1858, 1922, 1923, 1924, 1926, 1927, Act no. 85-705
- Uninsured motorist coverage, minimum established—
SB 449, page 250
- Veteran's organization commanders, authorized to receive distinctive license plates—
HB 372, pages 1437, 1759, 1768
- Volunteer fire departments, vehicles authorized to use sirens and lights—
SB 486, pages 291, 411, 592, 734, 968, 1009, 1010
- Wreckers, exempt from public service commission, regulated—
SB 404, pages 165, 411, 720, 777, 804, 841
HB 606, pages 514, 881, 1886, 1911, 1940, Act no. 85-688

MUNICIPAL CORPORATIONS

- Authorized to collect occupational license taxes in certain areas beyond corporate limits—
SB 460, page 287
- Officers who serve on boards of directors of municipal water, sewer, gas or electric systems, entitled to fee for services—
SB 479, pages 290, 411, 468, 768, 804, 841
- Validation of certain attempted incorporations invalidated by procedure irregularities—
SB 597, page 461
HB 430, pages 691, 1680, 1761

MUNICIPAL GOVERNMENT

Special election to fill vacancies in mayor's office provided—
SB 304, page 93

Validating certain attempted incorporation of—
SB 170, pages 45, 69, 78
SB 172, page 46

MUNICIPAL OFFICERS AND EMPLOYEES

Insurance, uniform group health insurance for city, county employees, local employees' health insurance board established—
SB 220, pages 59, 149, 179, 976

Officers who served on boards of directors of municipal water, sewer, gas or electric systems, entitled to fee for services—
SB 479, pages 290, 411, 468, 768, 804, 841

Service credit in employees' retirement system granted in certain areas—
SB 305, pages 93, 235, 1279, 1279, 1890, 1900, 1958, Act no. 85-662

Special election to fill vacancies in mayor's office provided—
SB 304, page 93

MUNICIPAL ORDINANCES

Adoption of like ordinances by ordinances or reference provided—
SB 70, pages 17, 70, 77, 219
HB 102, pages 1363, 1746, 1760

Bail of persons charged under, judgments of municipal courts, appeal to circuit court authorized—
SB 331, pages 100, 401, 1111
HB 40, pages 693, 726

Circuit courts, court to take judicial notice of all municipal ordinances—
SB 520, page 316

MUNICIPALITIES

Alcoholic beverage licensing code, certain licenses may be renewed where dry county or dry municipality was wet when original license was issued—
SB 286, pages 89, 172, 217, 262, 280, 323, 330, 1487, 1681, 1816, Act no. 85-547

Authority to license insurance companies, regulated—
SB 37, page 11

Authorized to collect occupational license taxes in certain areas beyond corporate limits—
SB 460, page 287

Bonds, counties and municipalities, sale of, altered—
SB 63, pages 16, 398, 591
SB 523, page 316

Class 1 municipalities, governing body, expense allowance provided—
SB 442, pages 248, 396, 918, 972, 985

MUNICIPALITIES (Continued)

- Class 1 municipalities, horse racing revenues provided for—
HB 740, page 792
- Class 2 municipalities, form of government established—
SB 384, page 161
- Class 2 municipalities, form of government established, referendum—
SB 378, page 135
SB 379, page 135
HB 526, pages 271, 303, 317, 381, 381, 385, 419, Act no. 85-229
- Class 2 municipalities, new city government established—
SB 378, page 135
SB 379, page 135
HB 526, pages 271, 303, 317, 381, 381, 385, 419, Act no. 85-229
- Class 4 municipalities, mayor-council form of government authorized, procedure—
SB 709, page 1081
HB 1044, pages 1412, 1680, 1765, 1924
- Class 5 municipalities, alternate commission form of government authorized for certain municipalities—
SB 502, pages 294, 722, 800, 817, 1086
- Class 5 municipalities, alternate structure for planning commission authorized—
SB 219, pages 59, 722, 800, 818, 1087
- City boards of education, include municipalities in which colleges are located—
HB 28, pages 306, 552, 1137, 1922, 1923, 1924, 1926, 1927, 1951
- Cities with certain populations, new council form of government, created—
SB 235, pages 62, 298, 431
HB 214, pages 690, 722, 1366
- Commercial development authority, created to promote trade and commerce in class 1, 2, 3 municipalities to include class 7 and 8 municipalities—
SB 668, pages 714, 869, 1113
- Community action agencies, provided further—
HB 764, pages 1418, 1680, 1762
- Competitive bid law, preference given certain local contractors—
SB 50, page 14
- Corporations, validation of certain attempted incorporations invalidated by procedure irregularities—
SB 597, page 461
HB 430, pages 691, 1680, 1761
- Downtown redevelopment authorities, authorized, powers, exemptions, duties of authority prescribed—
SB 581, pages 393, 635, 676, 975
HB 920, pages 1432, 1518, 1808, 1922, 1923, 1924, 1925, 1927, 1928, 1952, 1956, Act no. 85-683
- Elections, certain ones validated regarding special county and municipal taxes—
SB 294, pages 91, 298, 425

MUNICIPALITIES (Continued)

- Employees, retired, insurance coverage provided—
SB 494, pages 293, 404, 599
- Fair trial tax receipts authorized for providing prosecutorial services in municipal circuit courts on appeal—
SB 69, page 17
SB 619, page 559
- Firemen trained by one government entity who becomes employed by another within certain time, training entity entitled to compensation—
SB 333, page 100
- Health and accident self-insurance group authorized for officers and employees of municipalities, use of public funds authorized—
SB 113, pages 23, 69, 369
HB 112, pages 699, 964, 1281
- Highways, state and local agencies prohibited from purchasing materials made by foreign governments—
SB 612, page 558
- Located in two counties, annexation procedure for certain territory, regulated—
SB 686, page 788
- Municipal-county port authorities, certain public entities may give financial aid to—
SB 374, pages 134, 235, 304, 1004, 1371, 1425
- Officers, service credit in employees' retirement system granted in certain areas—
SB 305, pages 93, 235, 1279, 1279, 1890, 1900, 1958, Act no. 85-662
- Ordinances, procedure to introduce in evidence in circuit courts—
SB 323, pages 98, 403, 1111
- Police, minimum compensation, established—
SB 132, pages 27, 172, 218, 749, 751, 769
- Previous annexations validated—
SB 172, page 46
- Private "for hire" motor vehicles, regulated—
SB 630, pages 614, 881, 1233
- Public libraries, regulated further—
SB 583, page 458
- Public water entities prohibited from acquiring or duplicating certain water systems—
SB 417, page 208
HB 583, pages 1440, 1759, 1768
- Retirement allowances of cities and counties, tax exempt—
SB 2, page 5
- Sale of bonds, procedure altered—
SB 63, pages 16, 398, 591
SB 523, page 316

MUNICIPALITIES (Continued)

Territorial bill, municipal electrical utilities, service area restricted—

SB 145, pages 29, 146, 165

HB 114, pages 231, 544, 599, 684, 706, 1667, 1668, 1739, 1743, 1745,
1775, Act no. 85-645

Validating certain attempted incorporation of—

SB 170, pages 45, 69, 78

SB 172, page 46

MUSIC

Alabama jazz museum and institute, established—

SB 298, page 92

NATIONAL GUARD

Additional educational benefits provided—

HB 276, pages 1417, 1746, 1761

Higher education, Alabama commission on, supplemental appropriation
for national guard scholarships—

SB 551, page 350

NATIONAL MEMORIAL DAY

Public holidays, national memorial day added and mardi gras day dis-
continued—

SB 136, pages 27, 70, 185, 243, 416, 447, 448, 453, 482, 513, 515

NEWSPAPERS

Charge for legal notice advertising the current published commercial
classified advertising rate—

HB 304, pages 1365, 1746, 1761, 1922, 1923, 1924, 1925, 1927, 1949

Judge of probate, authorized to microfilm weekly newspapers—

HB 860, pages 1106, 1680, 1763

NONPROFIT CORPORATIONS

Authorized to purchase state property from finance department—

HB 607, page 954

Game and fish, hunters and catchers may donate parts of game animals
to nonprofit corporations without penalty—

SB 661, pages 713, 961

Nonprofit corporation act, definition of members include domestic and
foreign corporations—

SB 60, pages 15, 121, 137, 216, 416, 453, 533

NOTARIES PUBLIC

Bonds increased—

SB 45, pages 13, 631

NURSES AND NURSING

Schools, nurses placed in, education department to administer—

SB 475, page 290

NURSING HOMES

- Aged health care recipient ombudsman act created, commission on aging to administer—
SB 31, page 9
SB 66, pages 16, 237, 259, 708, 803, 821, 822, 826, 889, 1942, 1954, 1959, Act no. 85-657
- Certificate of need, hospitals, two year moratorium set—
SB 635, page 615
HB 722, pages 704, 1758, 1767
- Health care, conversion of bed for different type services, certificate of need required—
SB 613, pages 558, 681, 718, 941, 1325, 1400
- Life care facilities, securities commission to regulate—
SB 391, pages 163, 295, 430, 765, 804, 888, 926
- Nursing home administrative board, fees increased—
SB 574, pages 392, 963

OIL AND GAS

- Alabama trust fund, additional membership for board of trustees, CA—
SB 554, pages 372, 550, 616, 777, 1323, 1400
- Aviation fuel tax, inspection fee repealed—
SB 659, page 713
- Cloak of secrecy removed from oil and gas production reports filed with department of revenue—
SB 472, page 289
- Common carriers of gasoline, markings of vehicle, regulated—
SB 552, pages 372, 544, 599
HB 817, pages 687, 881, 1076
- Drilling of, certain non-consenting owners required to pay proportionate share of drilling—
SB 397, pages 164, 415, 481
- Environmental protection superfund established, appropriation from interest on oil lease revenues provided—
SB 10, pages 6, 413, 613, 896, 946, 1256, 1263, 1369, 1423
- Local government capital improvement fund established, distribution of certain oil and gas revenues provided—
SB 439, page 247
SB 505, pages 313, 397, 481
HB 649, pages 688, 724, 1837, 1837, 1841, 1843, 1845, 1847, 1849
- Oil and gas board, fees for classification of wells under the natural gas policy act of 1978—
SB 395, pages 163, 235, 262, 368
- Oil and gas board, powers and duties altered—
SB 396, pages 164, 297, 424
HB 290, pages 1436, 1518, 1922, 1923, 1924, 1926, 1927
- Oil and gas drilling equipment used in federal waters, tax exempt—
SB 400, pages 164, 397, 895, 895, 1255, 1334, 1369, 1423

OIL AND GAS (Continued)

Oil and gas excise tax, boards of education, institute for deaf and blind, youth services department, exempt—
SB 101, page 22

Oil and gas production privilege tax, reporting date altered—
SB 398, pages 164, 410, 481
SB 399, pages 164, 410, 481

Oil and gas production, qualified enhanced recovery project, privilege tax levied, certain terms defined—
SB 606, pages 556, 723, 801

Privilege tax on production of, provided—
HB 288, pages 1246, 1505, 1922, 1923, 1924, 1926, 1927

State treasurer, authorized to distribute petroleum inspection fees—
SB 158, pages 43, 124, 151, 367, 1327

Taxation, public transportation authorities exempt from gasoline and oil taxes—
SB 518, page 315

Trust fund created for certain counties and municipalities, road construction and repair, oil lease moneys appropriated, bonds issued and proceeds distributed, CA—
SB 6, page 5

OIL AND GAS BOARD

Fees for classification of wells under the natural gas policy act of 1978—
SB 395, pages 163, 235, 262, 368

Powers and duties altered—
SB 396, pages 164, 297, 424
HB 290, pages 1436, 1518, 1922, 1923, 1924, 1926, 1927

OMBUDSMAN

Aged health care recipient ombudsman act created, commission on aging to administer—
SB 31, page 9
SB 66, pages 16, 237, 259, 708, 803, 821, 822, 826, 889, 1942, 1954, 1959, Act no. 85-657

OPPORTUNITIES INDUSTRIALIZATION CENTER

Employees may join teachers' retirement system—
SB 79, pages 18, 173, 239, 360, 749, 752

PARDONS AND PAROLES BOARD

Sexual abuse offenders, special paroling procedure provided—
SB 542, pages 348, 555, 598, 1341
HB 944, page 1237

PARENTS

Congress of parents and teachers, officers and full time employees, authorized to join teachers' retirement system—
SB 317, pages 97, 173, 263, 676, 884, 889, 909
HB 487, pages 687, 725

PEACE OFFICERS' ANNUITY AND BENEFIT FUND

Peace officers' annuity and benefit fund, disability benefits, new members prohibited from purchasing prior service—
SB 328, page 99

PENALTIES

Barber examiners, state board of, procedures for licensing and practice of barbering and barber colleges provided, penalties—
SB 591, pages 460, 879, 950

Crimes and offenses, assault in first degree to include causing injury with vehicle while driving under influence—
SB 52, page 14

Fish, game and wildlife, importing game in state, regulated—
SB 688, pages 788, 961

Hazardous waste ownership, Alabama right-to-know law on, created—
SB 325, pages 99, 173, 240, 244, 327, 369, 377, 749, 752, 753, 755, 1076, 1369
HB 266, page 1418

PENSION PLANS

Firemen, retirement pay and pensions, tax exempt—
SB 329, page 99

Private pension plans, income tax exempt—
SB 238, page 62

PENSIONS AND SECURITY DEPARTMENT

Adoption, foster parent applicants, department of pensions and security authorized to conduct criminal history investigations—
SB 538, pages 347, 554, 598, 708
HB 940, pages 1241, 1516, 1666, 1668, 1668, 1782, 1799, Act no. 85-537

Child care facilities, records and background information checks on operators and other employees authorized—
HB 646, pages 691, 726, 1281

Child protection teams, established in counties by pensions and security department, to protect children against child abuse—
SB 543, pages 348, 555, 598, 1341
HB 945, pages 1237, 1517, 1665, 1668, 1668, 1783, 1787, 1789, 1903, 1910, Act no. 85-682

Child support, assignment of, to pensions and security department for foster care provided—
HB 199, pages 1435, 1760

Child support, direct payment to pensions and security department in certain circumstances authorized—
SB 380, pages 161, 402, 599, 773, 896, 1256, 1369, 1423

Child support orders, operation by pensions and security department, regulated—
SB 252, pages 65, 239, 431

PENSIONS AND SECURITY DEPARTMENT (Continued)

Child support, pensions and security may assign payments owed—
SB 257, pages 66, 412, 591

Child support, salary withholding regulated, procedure—
SB 251, pages 64, 238, 431

Income tax set-off authorized to satisfy debts to—
SB 255, pages 65, 303, 430
HB 90, pages 1438, 1746, 1760

Outstanding public assistance warrants, voided after certain period—
SB 241, page 63
SB 256, pages 66, 679

Pensions and security board, state employees appointed as members—
SB 195, pages 50, 172, 217, 241, 749, 756

PERSONAL PROPERTY

Income tax laws revised regarding timely mailing, basis, subchapter S corporations, extensions, exemptions for charities, net operating losses, installment sales—
SB 568, page 391
HB 669, pages 848, 960, 1113, 1331, 1331, 1407, Act no. 85-515

State agencies, property manager requirement of reporting inventory of personal property changed to increase value and reporting period—
SB 578, pages 392, 545, 894, 1255, 1259, 1369, 1423

PERSONNEL DEPARTMENT

Educational personnel, records regulated according to federal guidelines—
SB 109, pages 23, 325, 435

State merit system, procedure to fill vacancy, number of names certified, increased—
SB 202, pages 52, 124, 218
HB 117, pages 309, 405, 468, 1346, 1346, 1407, Act no. 85-459

PETROLEUM PRODUCTS

State treasurer, authorized to distribute petroleum inspection fees—
SB 158, pages 43, 124, 151, 367, 1327

PHARMACISTS

Drugs, dispensing of, by other than pharmacists and medical practitioner prohibited, penalties—
SB 246, page 64

License fee increased—
HB 194, pages 467, 548, 596, 945, 955, 1370, 1424, 1521, 1802, 1848,
Act no. 85-702

Pharmacy, declared to be learned profession—
SB 167, pages 45, 553, 631, 767, 803, 1087, 1127, 1130

Prescription drugs, pharmacies authorized to accept certain uncontaminated drugs for return—
SB 562, pages 390, 963

PILOTS

Retirement systems, state aircraft pilots entitled to same benefits as state police officers—
SB 519, pages 315, 722

PISTOL PERMITS

District attorneys, supernumerary district attorneys, and assistant district attorneys, excused from obtaining pistol permit—
SB 549, pages 349, 725, 1113

Industrial relations department law enforcement officers authorized to keep badges and pistols upon retirement—
HB 489, pages 1366, 1680, 1761, 1922, 1923, 1924, 1925, 1927, 1948

United States law enforcement officials, retired, exempt from pistol permit license—
SB 105, page 22

PLANNING COMMISSIONS

Regional planning and development commissions, ratification of organization and operation of—
SB 425, pages 210, 266, 424
SB 618, page 558
HB 626, pages 492, 637, 896, 1886, 1892, 1917, Act no. 85-757

POLLUTION

Environmental management department, control abatement and prevention of pollution and environmental problems—
SB 719, page 1083
HB 743, pages 1091, 1758, 1766, 1770, 1924, 1941

Water pollution control grant fund, created, Alabama department of environmental management to make grants for purposes of constructing sewage treatment facilities—
HB 590, pages 590, 964, 1111, 1886, 1888, 1916, Act no. 85-755

PORT AUTHORITIES

Municipal-county port authorities, certain public entities may give financial aid to—
SB 374, pages 134, 235, 304, 1004, 1371, 1425

State docks, conveyance to local port authorities in Cordova and Florence—
SB 27, pages 9, 402
HB 72, pages 198, 632, 1886, 1899, 1901, 1918, Act no. 85-646

PRIMARY ELECTIONS

Date of, altered—
HB 301, pages 142, 297, 598, 601, 602, 650, 650, 652, 653, 654, 746, 793, 819, Act no. 85-389

PRISONERS OF WAR

Authorized to retain distinctive license plates—
SB 200, pages 52, 122, 217

G.I. education act, spouses recognized, remove delimiting dates—
SB 441, pages 247, 416, 599
HB 64, pages 957, 1759, 1769, 1886, 1899, 1918, Act no. 85-758

License plates for two cars authorized—
SB 205, pages 52, 122, 218

PRISONS AND PRISONERS

Children, detention in jail regulated—
SB 253, pages 65, 239, 262, 938

Circuit court, held in penal institutions under certain circumstances—
SB 678, pages 716, 870, 1113

Convicted felons to serve in state facility unless judge specifies county jail—
SB 315, pages 97, 726, 893, 893, 943, 1254, 1258, 1259, 1275

Counties, supplemental appropriation for expenses of state prisoners housed in county jails provided—
SB 214, pages 54, 148, 218

Criminal sentences of ten years or less, certain mandatory time of incarceration provided—
SB 625, page 614

Criminals, mentally ill, procedure for hearings prior to release of defendant who committed crime while mentally ill—
SB 321, page 98

Escape while on work release, leave or furlough deemed a felony—
SB 56, pages 15, 80, 151, 216, 1333
SB 160, pages 44, 234, 387

Finance department, state purchasing agency authorized to make purchases from out-of-state prison industries for resale to political subdivisions by Alabama prison industries—
SB 326, pages 99, 404, 591

Interstate corrections compact, established—
SB 440, page 247
SB 470, pages 289, 404, 591
HB 667, pages 1091, 1520, 1837, 1865, 1916, Act no. 85-752

Minimum sentences, increased—
SB 55, pages 15, 79, 119, 151, 178, 215, 221, 224

Prisoners, certain prohibited from serving in county jails—
SB 699, page 863

Work release, certain prisoners cannot participate—
SB 53, pages 14, 80, 151, 215, 417, 453, 534, 537

Work release, escape from constitutes felony—
SB 56, pages 15, 80, 151, 216, 1333
SB 160, pages 44, 234, 387

PRISONS AND PRISONERS (Continued)

Writ of habeas corpus, granted without delay, exceptions provided—
HB 461, pages 690, 884, 1922, 1923, 1924, 1926, 1927

PROBATION OFFICERS

Juvenile probation officers, placed under administrative office of courts—
SB 244, pages 63, 550, 631, 940

PROFESSIONAL CORPORATIONS

Professional corporation act, altered further—
SB 118, pages 24, 300, 373, 776

PUBLIC DEBT

General fund budget, appropriation for ordinary expenses of executive, legislative and judicial departments—
SB 207, page 53
HB 332, pages 1107, 1505, 1537, 1538, 1643, 1798, 1798, Act no. 85-539

PUBLIC EDUCATION

Partnership plan for the operation of facilities constructed with private funds in public education, appropriation from special educational trust fund, authorized to match contributions—
SB 81, pages 18, 326, 430
SB 190, page 49

Public school corporation, authorized to borrow money on behalf of local school boards—
SB 587, pages 458, 634, 732, 776, 804, 888, 928

PUBLIC OFFICERS AND EMPLOYEES

Attorney general, executive assistant, salary altered—
SB 704, pages 865, 964

Convicted of a felony must vacate office or place they hold—
SB 310, pages 94, 400, 911

Election, establishes "Alabama fair campaign practices commission"—
SB 127, pages 26, 299, 424

Registrars, board of, expense allowance, increased—
SB 527, pages 345, 879

State employees, non-classified hourly employees permitted same sick leave benefits, on pro rata basis, as classified employees—
SB 67, pages 16, 69, 77, 139, 180, 199, 221, 221, 228

PUBLIC SAFETY DEPARTMENT

Employees of, board of adjustment to hear claims concerning work performed without compensation, appropriation—
SB 690, pages 789, 870, 950, 1281, 1348, 1400

Licenses, driver's license issued to senior citizens, fee decreased—
SB 465, pages 288, 326, 369

Minimum arresting officer manpower requirements for Alabama department of public safety provided—
SB 716, page 1083

PUBLIC SAFETY DEPARTMENT (Continued)

Missing persons information center established within department of public safety—

SB 532, pages 346, 553, 598, 749, 751, 932, 1342, 1400

HB 936, pages 1240, 1515, 1664, 1667, 1668, 1777, 1799, Act no. 85-538

PUBLIC SERVICE COMMISSION

Increased funding for motor carrier operations provided—

SB 162, pages 44, 147, 284, 367, 749, 750, 1796, 1840, 1958, Act no. 85-653

Transportation companies, subject to control, re-defined—

SB 722, page 1856

Wreckers, exemption from public service commission regulations provided—

SB 404, pages 165, 411, 720, 777, 804, 841

HB 606, pages 514, 881, 1886, 1911, 1940, Act no. 85-688

RAILROADS

Louisiana, Mississippi, Alabama rapid rail transit commission, appropriation provided—

SB 247, page 64

Railroad companies, authorized to test certain employees for drug and alcohol abuse—

SB 525, pages 344, 881, 1116

Rapid rail transit commission transferred to highway department—

SB 353, pages 104, 412, 599

RAPE

Rape of wife by husband, exclusion from criminal responsibility removed—

SB 524, pages 316, 551, 777, 937, 1301

REAL ESTATE

Eminent domain, road right-of-way available to land-locked property widened—

SB 522, pages 316, 411, 468

Real estate commission, regulated further—

SB 80, pages 18, 704, 723, 1280

HB 327, pages 306, 414, 1260, 1837, 1863, 1915, Act no. 85-750

Real property, sales contracts between industrial development boards and foreign developers and investors to have three-year conditional buy-back agreement—

SB 631, page 615

REAL ESTATE COMMISSION

Regulated further—

SB 80, pages 18, 704, 723, 1280

HB 327, pages 306, 414, 1260, 1837, 1863, 1915, Act no. 85-750

REAL ESTATE, REGULATED

Landlord-tenant rights, further defined—

SB 657, page 712

REAL PROPERTY

Architects and engineers, statute of limitations on certain civil actions concerning real estate improvement defects or deficiencies provided—

SB 196, page 51

Civil action against builders under supervision of architect or engineer constructing improvements on or to real property, in tort or otherwise, statute of limitations, retroactive effect—

SB 471, page 289

HB 587, page 1419

Condominium owners, certain voting rights adjusted, manner of recording—

SB 277, page 88

Eminent domain, acquisition of right-of-way, appeal process provided—

SB 311, pages 94, 401, 1013, 1114, 1426

Eminent domain code established, condemnation procedures prescribed—

SB 287, pages 89, 400, 468, 768, 804, 850, 890, 1489, 1682, 1816,
Act no. 85-548

Foreclosure sale, notice of, counties with no newspaper, provided—

HB 467, pages 305, 551

Hunting rights of certain persons on property where resident game protection program is operating, protected—

SB 288, pages 90, 296

On-site disposal systems regulated prior to subdivision being approved—

HB 457, page 1239

Real property, sales contracts between industrial development boards and foreign developers and investors to have three-year conditional buy-back agreement—

SB 631, page 615

School taxes subject to homestead exemption, defined—

SB 352, page 103

REAPPORTIONMENT

Legislative reapportionment of house districts 88 and 89 provided—

SB 382, pages 161, 405, 650, 770, 1332

RECREATION

State park revolving fund, portion of receipts, pledged for certain uses—

SB 232, pages 61, 145, 430, 766, 1334

HB 342, page 534

State parks, concession contracts, term extended—

SB 231, pages 61, 145, 430

RECREATIONAL VEHICLES

License tax decreased—

SB 296, pages 91, 233, 262

Motor vehicles, definition of to include recreational vehicles—

SB 3, pages 5, 147, 424

Motor vehicles, license fees altered—

SB 85, page 19

REGISTRATION

Out-of-state contractors, regulated—
SB 213, pages 54, 237, 369

REHABILITATION AND CRIPPLED CHILDREN SERVICE

Reimbursements for state expenditures do not revert to state—
SB 86, pages 19, 123, 180, 220, 416, 453, 512, 1666, 1681, 1816, Act
no. 85-544

RESCUE SQUADS

Requirements for eligibility for distinctive license plates, altered—
SB 610, pages 557, 722, 1277

RETIREMENT

Circuit judges who are retired but have served on full-time active duty
status with appellate court, additional benefits provided and com-
putation method altered—
SB 665, page 714

Congress of parents and teachers, officers and full time employees,
authorized to join teachers' retirement system—
SB 317, pages 97, 173, 263, 676, 884, 889, 909
HB 487, pages 687, 725

County commissions may establish supernumerary county commissioner,
qualifications and duties prescribed—
SB 684, page 788

Firemen, retirement pay and pensions, tax exempt—
SB 329, page 99

Municipal officers, service credit in employees' retirement system granted
in certain areas—
SB 305, pages 93, 235, 1279, 1279, 1890, 1900, 1958, Act no. 85-
662

Peace officers' annuity and benefit fund, prior service credit, purchase
eliminated for new members—
HB 435, pages 1437, 1520

Probate judges, graduated percentage cost-of-living increase to spouses
under judicial retirement fund provided—
SB 683, page 787

Retired teachers' association officers and employees, authorized to join
teachers' retirement system—
SB 340, pages 101, 297, 373, 937, 1299

Teachers, mandatory retirement of, exceptions allowed on year by year
basis—
SB 95, pages 20, 78, 217, 361, 630
SB 198, page 51
HB 297, pages 121, 212, 228, 260, 322, 323, 327, 332, Act no.
85-208

Teachers' retirement system, board of control, membership increased—
SB 107, pages 22, 212, 239, 243, 261, 282, 1236, 1276, 1357, Act
no. 85-519

RETIREMENT (Continued)

Widow of governor, pension provided—
SB 701, page 864

RETIREMENT SYSTEMS

Aircraft pilots, state, entitled to same benefits as state police officers—
SB 519, pages 315, 722

Cost-of-living increase to certain persons retired under the teachers' and employees' retirement systems—
SB 212, pages 53, 123, 150, 241, 323, 342, 1434, 1444, 1527, Act no. 85-631

SB 312, pages 94, 148, 218

HB 416, pages 1413, 1521, 1922, 1923, 1924, 1926, 1927

County employees, certain, authorized to purchase credit for service—
SB 300, pages 92, 549, 613

District attorneys, supernumerary service time altered—
SB 21, pages 8, 233, 262, 1277, 1278, 1359

Educational employees, payroll deduction authorized for certain retirement accounts—
SB 575, page 392

Film commission, employees members of state employees' health insurance and retirement plans, retroactive date provided—
SB 338, pages 101, 297, 429, 770

Judges, retirement system reopened for certain previous service—
SB 576, pages 392, 680, 732

Judicial retirement system, certain circuit judges may credit prior service from teachers' retirement system—
SB 557, pages 389, 868, 959, 1328

Judicial retirement system, certain state judicial officers allowed to receive credit for time spent in federal judiciary service—
SB 711, page 1082

Judicial retirement system, reopened for certain legislators and assistant district attorneys—
SB 388, page 162

Military service credit authorized—
SB 451, pages 250, 326, 516, 975
HB 823, pages 1416, 1521, 1922, 1923, 1924, 1926, 1927

Prohibited from investing in South Africa and Namibia and three-year divestment—
SB 653, page 712

Retirement allowances of cities and counties, tax exempt—
SB 2, page 5

State employees, election to continue participation in employees' retirement system upon transfer in state employment—
SB 689, page 789

State employees, retired, cost-of-living increase authorized—
SB 248, pages 64, 232, 304, 768, 897, 1256, 1370, 1424
SB 312, pages 94, 148, 218
HB 416, pages 1413, 1521, 1922, 1923, 1924, 1926, 1927

RETIREMENT SYSTEMS (Continued)

Teachers' and employees' retirement systems, eligible members, choice of lump sum death benefit and monthly allowance for survivors provided—

SB 168, pages 45, 70, 77, 196, 221, 222

Teachers' retirement system, members benefits relating to surviving spouse changed—

SB 275, pages 87, 634, 801, 801, 1086

HB 447, pages 699, 1506

Teachers' retirement system reopened for certain members to purchase prior service credit—

SB 682, page 787

REVENUE COMMISSIONER

Tax assessor, tax collector, revenue commissioner, license commissioner, compensation—

SB 414, pages 207, 296, 318, 351, 416, 453, 482, 537

REVENUE DEPARTMENT

Appraisers, mappers and tax administrators, compensation—

SB 504, pages 294, 404, 1280

Assistant legal counsels, employment regulated—

SB 355, pages 131, 235, 263, 365

Automotive dismantlers and parts recyclers, licensing of—

SB 634, page 615

HB 730, pages 958, 1759, 1769

Department of pensions and security, income tax set-off to satisfy debts, provided—

SB 255, pages 65, 303, 430

HB 90, pages 1438, 1746, 1760

Income tax law revised regarding timely mailing, basis, subchapter S corporations, extensions, exemptions for charities, net operating losses, installment sales—

SB 568, page 391

HB 669, pages 848, 960, 1113, 1331, 1331, 1407, Act no. 85-515

Income tax, single heads of household, certain exemptions provided—

SB 517, page 315

Law enforcement officers, powers regulated—

SB 361, pages 132, 681, 1113

Oil and gas production tax, reporting date altered—

SB 398, pages 164, 410, 481

Revenue forecast control commission, state revenue anticipated, certain appropriations by legislature regulated—

SB 134, pages 27, 177, 218, 734, 968, 1010, 1010

State parent locator, revenue department to furnish information—

SB 258, pages 66, 237, 323, 934, 1327, 1399

Tax liens, uniform optional filing fee provided in lieu of other fees—

SB 421, pages 209, 404, 682, 936

REVENUE DEPARTMENT (Continued)

Tax sales of certain land, notification procedure provided—

SB 15, pages 7, 80, 151, 213, 262, 323, 337, 344

SB 403, pages 165, 400, 591

Uniform certificate of title and antitheft act amended—

SB 175, pages 46, 147, 284, 367

HB 163, pages 166, 297, 645, 1836, 1858, 1922, 1923, 1924, 1926,
1927, Act no. 85-705

RIGHT-OF-WAY

Eminent domain, road right-of-way available to land-locked property
widened—

SB 522, pages 316, 411, 468

SAFETY

Amusement safety act established, operation of amusement rides and
attractions, penalties provided—

SB 339, pages 101, 410, 456, 771, 804, 842, 889

Coal mine safety, provided further—

SB 299, pages 92, 407, 682

Common carriers of gasoline, markings of vehicle, regulated—

SB 552, pages 372, 544, 599

HB 817, pages 687, 881, 1076

Dams, Alabama safe dams act, penalties provided—

SB 32, page 10

Sailboarders, wind surfers, exempt from flotation devices—

SB 694, pages 790, 961, 1233

SALES

Farm products, sale, buyer takes free of security interest, exception—

SB 351, pages 103, 960

SB 510, pages 314, 407

Finance department, state purchasing agent authorized to make purchases
from out-of-state prison industries for resale to political subdivisions
by Alabama prison industries—

SB 326, pages 99, 404, 591

Income tax laws, revised regarding timely mailing, basis, subchapter S
corporations, extensions, exemptions for charities, net operating
losses, installment sales—

SB 568, page 391

HB 669, pages 848, 960, 1113, 1331, 1331, 1407, Act no. 85-515

Sales representatives and principals, agreements involving commissions,
written contract required—

SB 29, pages 9, 323, 380, 423, 565, 570, 1488, 1681, 1816, Act no.
85-543

Tax sales of certain land, notification procedure—

SB 15, pages 7, 80, 151, 213, 262, 323, 337, 344

SB 403, pages 165, 400, 591

SALES TAX

Agricultural machinery, lease or rental, tax rate altered—
SB 611, page 557

Certain tools, dies, molds and fixtures, exempt—
SB 464, page 288

Schedule of payment altered—
SB 64, pages 16, 123, 217, 935, 1334, 1359
SB 183, page 47

Taxation, levy and collection of municipal sales and use tax on sale of
certain vehicles—
SB 521, pages 316, 399, 732, 772, 803, 804, 857, 890

Various definitions altered regarding—
SB 377, page 135
HB 531, pages 1416, 1698, 1761, 1923, 1925, 1927

SAVINGS AND LOAN ASSOCIATIONS

Banking by automated teller machine authorized under certain conditions—
SB 154, page 31
SB 225, page 60
SB 281, page 88
SB 313, page 97
SB 364, page 133
SB 381, page 161
SB 405, page 203
SB 406, page 203
SB 415, page 208
SB 429, page 229
SB 437, pages 247, 325, 373, 767
HB 268, pages 307, 409, 457, 766, 804, 888, 923, 930, Act no.
85-364

SCENIC RIVERS SYSTEM

Scenic rivers system act, Alabama, established, protection of waterways—
SB 295, page 91

SCHOOLS

Child's absence must be reported to parent or guardian by 10:00 a.m.
on school day—
SB 533, pages 346, 553, 598, 1339

Colleges, sex and salary of professors, required to be published—
SB 106, page 22

County commission authorized to tax school districts within county—
SB 677, pages 716, 869, 1327

Criminal history checks for sex crimes authorized on persons having
direct supervision of minors—
SB 539, pages 347, 554, 598, 708, 709, 763
HB 941, pages 1244, 1517, 1664, 1667, 1668, 1791, 1902, 1910, Act
no. 85-681

SCHOOLS (Continued)

Deaf and blind institute, education policy must be written—

SB 129, pages 26, 266, 424, 936

HB 516, page 1107

Education budget, support, maintenance and development of public education—

SB 210, page 53

HB 331, pages 590, 796, 1014, 1014, 1077, 1130, 1132, 1172, 1233, 1235, 1236, 1247, 1248, 1265, 1271, 1406, 1406, Act no. 85-516

Education, city board of education members, procedure for replacement by mayor and city governing body—

SB 484, page 291

Lyman Ward military academy, appropriation—

SB 204, pages 52, 399, 592

HB 453, pages 689, 1506, 1537, 1643, 1655, 1657, 1806, 1847

Marion military institute, appropriation—

SB 197, pages 51, 399, 481

HB 462, pages 689, 1506, 1537, 1643, 1655, 1659, 1806, 1847

Mental health department and mental retardation, established as special school district, district superintendent of education appointed by commissioner—

SB 438, page 247

HB 629, pages 514, 1759, 1769

Minimum school program, average daily attendance, further defined—

SB 308, pages 93, 408

Missing school children, lists, required to compile—

SB 534, page 346

Nurses placed in, education department to administer—

SB 475, page 290

Personnel, communications regarding drug use of students, immune from civil liability—

SB 73, pages 17, 80, 151, 219, 261, 281, 421, 434, 538, Act no. 85-239

SB 228, pages 60, 401, 468

Personnel, examination for tuberculosis, required—

SB 99, pages 21, 79, 151

Public school and college authority, authorized to issue bonds for certain educational purposes—

SB 650, page 711

Records falsified by any teacher, principal, administrator, superintendent or school employee prohibited, class C misdemeanor—

SB 161, pages 44, 634

School buses, seatbelts required by certain date—

SB 133, pages 27, 173, 218

Special educational trust fund, transfer of funds to public school fund provided—

SB 309, page 93

SCHOOLS (Continued)

Systems, authorized to shorten minimum number of school days required in the event of certain natural disasters—

SB 141, pages 28, 79, 150, 242, 417, 453, 483

Talladega college, appropriation—

SB 206, pages 52, 399, 1280

HB 452, pages 689, 1506, 1537, 1643, 1655, 1661, 1805, 1847

Trustees, county, position abolished—

SB 143, pages 29, 409, 463

Tuskegee institute, appropriation—

SB 209, pages 53, 399, 454

HB 471, pages 692, 1506, 1537, 1643, 1655, 1660, 1806, 1847

Utility service use tax, city and county boards of education, exempt—

SB 100, page 21

Walker junior college, appropriation—

SB 221, pages 59, 399

HB 361, pages 590, 1506, 1537, 1643, 1654, 1656, 1806, 1847

SEAFOOD

Oysters, sacking and tagging for commercial purposes regulated, penalties provided—

SB 356, page 131

HB 451, pages 690, 962

SECRETARY OF STATE

Appropriation—

SB 125, pages 25, 398, 1280

Election, establishes "Alabama fair campaign practices commission"—

SB 127, pages 26, 299, 424

Election results, required to be reported to secretary of state with precinct totals—

SB 640, pages 629, 723, 895, 895, 938, 1255, 1260, 1275

Secretary of state, auditor, treasurer, salary increased—

SB 501, page 294

SECURITIES COMMISSION

Life care facilities, securities commission to regulate—

SB 391, pages 163, 295, 430, 765, 804, 888, 926

Securities, registration, examination, fees for dealers and salesmen, transactions exempt from law, directors compensation—

SB 548, pages 349, 725, 1113

SECURITY GUARDS

Private security regulatory board, Alabama, created—

SB 146, pages 30, 124, 424, 772

SENATE

Elections, procedures for special elections to fill vacancies in legislature—

HB 557, pages 687, 879, 1922, 1923, 1924, 1926, 1927

SEVERANCE TAX

Forest products, severance of at an increased tax rate—

SB 19, page 8

HB 58, pages 493, 549, 732, 933, 1808, 1809, 1848, Act no. 85-700

HB 602, pages 507, 550, 732, 935, 1808, 1809, 1849, Act no. 85-696

Oil and gas, cloak of secrecy removed from oil and gas production reports filed with department of revenue—

SB 472, page 289

Oil and gas, privilege tax on production—

HB 288, pages 1246, 1505, 1922, 1923, 1924, 1926, 1927

Oil and gas production privilege tax, reporting date altered—

SB 399, pages 164, 410, 481

Oil and gas production tax, reporting date altered—

SB 398, pages 164, 410, 481

State docks, certain coal severance tax proceeds authorized to be used to operate coal handling facilities—

HB 1023, pages 1245, 1505, 1808, 1809, 1816, 1816, 1836, 1906, 1914, Act no. 85-648

SEXUAL ABUSE

Child abuse, definitions expanded to include sexual abuse and exploitation, penalties provided—

SB 540, pages 348, 555, 598, 946

HB 942, page 1365

Criminal history checks for sex crimes authorized on persons having direct supervision of minors—

SB 539, pages 347, 554, 598, 708, 709, 763

HB 941, pages 1244, 1517, 1664, 1667, 1668, 1791, 1902, 1910, Act no. 85-681

Rape of wife by husband, exclusion from criminal responsibility removed—

SB 524, pages 316, 551, 777, 937, 1301

Sexual abuse offenders, special paroling procedure provided—

SB 542, pages 348, 555, 598, 1341

HB 944, page 1237

SHERIFFS

Minimum salary set—

SB 88, pages 19, 148, 217, 360, 417, 453, 535, 565, 1239, 1275, 1357, Act no. 85-518

Supernumerary, program reopened—

SB 240, pages 63, 124, 217, 368, 417, 453, 565, 566, 1414, 1429, 1441, Act no. 85-637

SICKLE CELL ANEMIA

Susceptible infants tested at birth—

SB 211, pages 53, 414, 468, 766, 1346, 1399

SMALL BUSINESS

State agencies, costs of defending against by small business and individuals payable from agency funds—

SB 82, pages 19, 124

SOLID WASTE

Provided further for board of directors of authorities—

SB 362, pages 132, 300, 312, 894, 940, 1255, 1260

SPECIAL EDUCATIONAL TRUST FUND

Education budget, support, maintenance and development of public education—

SB 210, page 53

HB 331, pages 590, 796, 1014, 1014, 1077, 1130, 1132, 1172, 1233, 1235, 1236, 1247, 1248, 1265, 1271, 1406, 1406, Act no. 85-516

STATE AGENCIES

Chiropractic examiners, board of, sunset law review, continued—

HB 155, pages 506, 546, 597, 607, 618, 795, 1753, 1805, Act no. 85-613

Civil war institute, Alabama, established at Tannehill historical state park—

SB 369, pages 133, 407, 463

Commission on two-year college high technology education, established—

SB 582, pages 394, 634, 720, 773, 804, 889, 931

Competitive bid law, lease or purchase of materials or supplies, amount where bids required increased, certain provisions regarding government bodies removed—

SB 68, pages 16, 69, 77, 120, 139, 157, 159, 197, 531, 543, 594, Act no. 85-281

Conservation and natural resources department, supplemental appropriation made from state lands funds for fiscal year beginning October 1, 1985—

SB 284, page 89

SB 433, page 229

SB 453, pages 286, 326, 369, 769, 804, 852, 1947, 1954, 1959, Act no. 85-651

Corrections department, agricultural revolving fund, established—

SB 478, pages 290, 407, 591, 1114, 1426

Cost of defending against by small business and individuals payable from agency funds—

SB 82, pages 19, 124

Dental examiners, board of, sunset law review, continued—

HB 151, pages 507, 603, 605, 628, 659, 659, 749, 754, Act no. 85-360

Electrical contractors, board of, established, regulations—

HB 577, pages 1415, 1703, 1762

STATE AGENCIES (Continued)

- Emergency management act, amended to include man-made, natural or technological disasters, for purposes of continuing state government—
SB 5, pages 5, 174, 240
- Employees suggestion award program, provided further—
SB 491, pages 292, 397, 592
- Environmental management department, penalties for violation of rules increased—
SB 719, page 1083
HB 743, pages 1091, 1758, 1766, 1770, 1924, 1941
- Foreign trade commission, name and membership, altered—
SB 367, page 133
- Forestry commission, supplemental appropriation—
SB 19, page 8
HB 58, pages 493, 549, 732, 933, 1808, 1809, 1848, Act no. 85-700
HB 602, pages 507, 550, 732, 935, 1808, 1809, 1849, Act no. 85-696
- Geologist, state, authorized to contract with federal government for surveys—
SB 25, pages 9, 147, 179, 214, 262, 280
- Hearing aid dealers, board of, sunset law review, modified, fees increased—
HB 159, pages 487, 547, 597, 612, 621, 643, Act no. 85-337
- Highways, state and local agencies prohibited from purchasing materials made by foreign governments—
SB 612, page 558
- Indian affairs commission, membership to include the Cherokees of Jackson county—
HB 569, pages 1420, 1680, 1762, 1924
- Indian affairs commission, membership to include the Ma-Chis Lower Creek Indian tribe—
HB 603, pages 510, 632, 801, 1808, 1886, 1886, 1903, 1916, Act no. 85-738
- Inventory reporting of certain state property regulated—
SB 565, pages 390, 545, 1116
- Manufactured housing commission, Alabama, created—
HB 600, pages 699, 724, 800, 946, 1113, 1425, 1522, 1803, 1907, 1908, Act no. 85-691
- Medical examiners and medical licensure commission, board of, sunset law review, modified, litigation fund established, disposition of funds, members compensation—
HB 164, pages 487, 547, 597, 612, 622, 643, Act no. 85-338
- Mental health department and mental retardation, established as special school district, district superintendent of education appointed by commissioner—
SB 438, page 247
HB 629, pages 514, 1759, 1769

STATE AGENCIES (Continued)

- Nursing home administrators, board of examiners of, sunset law review, continued, application and emergency permit fee regulated—
HB 149, pages 331, 405, 512, 562, 564, 570, Act no. 85-283
- Nursing, board of, sunset law review, continued—
HB 152, pages 486, 545, 596, 603, 617, 642, Act no. 85-332
- Optometry, board of, sunset law review, continued—
HB 153, pages 487, 546, 596, 605, 617, 642, Act no. 85-333
- Pharmacists, license fee increased—
HB 194, pages 467, 548, 596, 945, 955, 1370, 1424, 1521, 1802, 1848, Act no. 85-702
- Pharmacy, board of, sunset law review, continued—
HB 156, pages 487, 546, 597, 611, 620, 642, Act no. 85-335
- Physical therapy, board of, sunset law review, modified, alters board composition, qualifications, travel expenses, subpoena power, special research and educational programs—
HB 154, pages 487, 546, 597, 606, 618, 642, Act no. 85-334
- Podiatry, board of, sunset law review, modified, certain fees altered, distribution of funds provided—
HB 157, pages 508, 546, 597, 611, 620, 750, 754, Act no. 85-359
- Property manager requirement of reporting inventory of personal property changed to increase value and reporting period—
SB 578, pages 392, 545, 894, 1255, 1259, 1369, 1423
- Proration of salaries and fringe benefits prohibited—
SB 171, pages 45, 398, 559, 892, 1254
- Psychology, board of examiners, fees increased—
SB 459, pages 287, 413, 896, 1330, 1330
- Psychology, unauthorized practice prohibited—
SB 458, page 287
- Public library service, supplemental appropriation for books and materials, from special educational trust fund—
SB 573, page 392
- Public library service, supplemental appropriation, from special educational trust fund, for renovation and construction of buildings—
SB 569, page 391
- Public safety department employees, board of adjustment to hear claims concerning work performed without compensation, appropriation—
SB 690, pages 789, 870, 950, 1281, 1348, 1400
- Scenic rivers system act, Alabama, established, protection of waterways—
SB 295, page 91
- Speech pathology, board of examiners for, sunset law review, modified, waiver of examination, fees regulated—
HB 148, pages 331, 405, 512, 561, 562, 753, 754, Act no. 85-361
- State docks, conveyances to local port authorities in Cordova and Florence—
SB 27, pages 9, 402
HB 72, pages 198, 632, 1886, 1899, 1901, 1918, Act no. 85-646

STATE AGENCIES (Continued)

- State employees, classification service of merit system, longevity pay provided, appropriation made from state general fund—
SB 166, pages 45, 295, 360
- State employees, reimbursement for moving expenses—
SB 327, page 99
HB 204, pages 1418, 1680, 1760
- State forest industrial development board, established, appropriation—
SB 224, pages 60, 145, 165, 242, 323, 341
- State property, disposition of, provided further—
SB 511, pages 314, 410, 592, 764, 804, 846, 1107, 1132, 1247, 1799, 1800, 1902, 1919, 1958, Act no. 85-665
- State property, inventory of, provided further—
SB 176, pages 46, 235, 284, 368
HB 385, pages 309, 545
- Sunshine law, strengthens open-meeting laws—
HB 820, pages 1416, 1680, 1763, 1837, 1856, 1856, 1863
- Tax exemptions, certain blind vendors exempt from sales and use taxes and gross receipt taxes—
SB 140, pages 28, 178, 240, 261, 676, 884, 909, 1434, 1444, 1527, Act no. 85-574
- Tennessee valley authority exhibit commission, name altered, membership altered—
SB 450, pages 250, 410, 599, 940, 1286, 1359, 1913, 1954, 1959, Act no. 85-655
- Textbook committee, membership increased, open meetings provided—
SB 114, pages 23, 79, 195, 361
- Turkey hunters hall of fame, established—
SB 530, pages 346, 633, 930
HB 763, pages 1239, 1748, 1763, 1924
- Veteran's affairs, board of, per diem and travel expense established—
SB 467, pages 288, 404, 599
- Veterans service medal, Alabama, established—
SB 461, pages 287, 416, 1280
- Veterinary medical examiners, board of, sunset law review modified, citizenship requirement regulated—
HB 158, pages 487, 547, 597, 612, 621, 642, Act no. 85-336
- Workmen's compensation, every state agency to provide, through department of finance for each state employee on pro rata basis, department of finance to administer—
SB 715, page 1083
- Youth services board, computing payment of expenses—
SB 186, pages 48, 412
- Youth services, department of, juvenile court records and others, disposition of after youth is out of jurisdiction—
SB 358, pages 132, 304, 430

STATE AUDITOR

Secretary of state, auditor, treasurer, salary increased—
SB 501, page 294

STATE DOCKS

Certain coal severance tax proceeds authorized to be used to operate coal handling facilities—
HB 1023, pages 1245, 1505, 1808, 1809, 1816, 1816, 1836, 1906, 1914, Act no. 85-648

Conveyances to local port authorities in Cordova and Florence—
SB 27, pages 9, 402
HB 72, pages 198, 632, 1886, 1899, 1901, 1918, Act no. 85-646

U.S.S. Alabama battleship commission power to contract limited, offer certain benefits to employees, mandated to establish state memorial park to honor all armed conflicts, to forgive indebtedness to state docks—
HB 344, pages 692, 725, 976, 976, 1339, 1370, 1424, 1522, 1803, 1849, Act no. 85-703

STATE EMPLOYEES

Beneficiary entitled to payment of portion of accrued sick leave—
SB 194, pages 49, 69, 150, 242, 262, 323, 331, 331, 332, 334

Classified service of merit system, longevity pay provided, appropriation made from state general fund—
SB 166, pages 45, 295, 360

Corrections department, commissioner, appointed from merit system—
SB 452, pages 286, 326, 369

Court of criminal appeals, clerk authorized to hire assistant—
SB 94, pages 20, 80, 150, 220, 261, 281, 1952, 1954, 1959, Act no. 85-656

Election to continue participation in employees' retirement system upon transfer in state employment—
SB 689, page 789

Employees' retirement system, members benefits relative to surviving spouse, changed—
SB 65, pages 16, 124, 179, 219, 801, 1087, 1126

Employees suggestion award program, provided further—
SB 491, pages 292, 397, 592

Film commission, Alabama, employees members of state employees' health insurance and retirement plans, retroactive date—
SB 338, pages 101, 297, 429, 770

Legislative reference service, director, employment of personnel, regulated—
SB 130, pages 26, 70, 77, 118, 139, 180, 201, 1276, 1357, Act no. 85-499

Mental health department, hospital orderlies granted merit system status—
SB 426, pages 228, 414, 925, 1351

STATE EMPLOYEES (Continued)

Moving expenses, reimbursement required—

SB 327, page 99

HB 204, pages 1418, 1680, 1760

Non-classified hourly employee permitted same sick leave benefits, on pro rata basis, as classified employees—

SB 67, pages 16, 69, 77, 139, 180, 199, 221, 221, 228

Pay raise—

SB 266, pages 68, 295, 379, 416, 443, 445, 450, 1352, 1427, 1441, 1850

Payroll deductions regulated—

SB 215, pages 54, 69, 77, 120, 139, 150, 157, 180, 185, 186, 191, 195, 203, 664, 675, 708, Act no. 85-353

Pensions and security board, state employees appointed as members—

SB 195, pages 50, 172, 217, 241, 749, 756

Public safety department employees, board of adjustment to hear claims concerning work performed without compensation, appropriation—

SB 690, pages 789, 870, 950, 1281, 1348, 1400

Retired employees, election to continue coverage under group insurance plan, premium paid by state—

SB 285, pages 89, 232, 263, 363, 676, 884, 910, 1750, 1795, 1816, 1881, 1904, 1919, 1958, Act no. 85-649

Retirement systems, certain members authorized to purchase credit for service as a county employee—

SB 300, pages 92, 549, 613

Retirement systems, teachers' and employees' retirement systems eligible members, choice of lump sum death benefit and monthly allowance for survivors—

SB 168, pages 45, 70, 77, 196, 221, 222

Retired, cost-of-living increase—

SB 248, pages 64, 232, 304, 768, 897, 1256, 1370, 1424

SB 312, pages 94, 148, 218

HB 416, pages 1413, 1521, 1922, 1923, 1924, 1926, 1927

Revenue department, assistant legal counsels, employment regulated—

SB 355, pages 131, 235, 263, 365

Revenue department, law enforcement officers, powers regulated—

SB 361, pages 132, 681, 1113

State agencies, proration of salaries and fringe benefits prohibited—

SB 171, pages 45, 398, 559, 892, 1254

State employees' insurance board, retired members authorized—

SB 280, pages 88, 149, 331, 367, 416, 453, 484, 1329, 1427, 1441, Act no. 85-642

SB 292, pages 91, 235, 263, 363, 365

State merit system, procedure to fill vacancy, number of names certified increased to ten names—

SB 202, pages 52, 124, 218

HB 117, pages 309, 405, 468, 1346, 1346, 1407, Act no. 85-459

STATE EMPLOYEES (Continued)

Workmen's compensation, every state agency to provide, through department of finance for each state employee on pro rata basis, department of finance to administer—

SB 715, page 1083

STATE FUNDS

Appropriations made for financial assistance to non-state agencies for fiscal year ending September 30, 1986—

SB 208, page 53

Competitive bid law, lease or purchase of materials or supplies, amount where bids required increased, certain provision regarding government bodies removed—

SB 68, pages 16, 69, 77, 120, 139, 157, 159, 197, 531, 543, 594, Act no. 85-281

Conservation and natural resources department, supplemental appropriation made from state lands funds for fiscal year beginning October 1, 1985—

SB 284, page 89

SB 433, page 229

SB 453, pages 286, 326, 369, 769, 804, 852, 1947, 1954, 1959, Act no. 85-651

Education budget, support, maintenance and development of public education—

SB 210, page 53

HB 331, pages 590, 796, 1014, 1014, 1077, 1130, 1132, 1172, 1233, 1235, 1236, 1247, 1248, 1265, 1271, 1406, 1406, Act no. 85-516

Firemen, retirement pay and pensions, tax exempt—

SB 329, page 99

General fund budget, appropriation for ordinary expenses of executive, legislative and judicial departments—

SB 207, page 53

HB 332, pages 1107, 1505, 1537, 1538, 1643, 1798, 1798, Act no. 85-539

Gross receipts estimated tax payment reduced so as to phase-out over a five-year period—

SB 64, pages 16, 123, 217, 935, 1334, 1359

SB 183, page 47

Health planning and development agency, supplemental appropriation from general fund—

HB 948, pages 1437, 1698, 1764, 1922, 1923, 1924, 1926, 1927

Income tax deductions for corporations, allowed same as individuals for donations to state of Alabama, charities and educational institutions—

SB 423, pages 209, 398, 591, 707, 895, 1255, 1263

Interim legislative committees, required to be established by a bill, payment of state funds regulated, standing committee assignments—

SB 187, page 48

STATE FUNDS (Continued)

Local government capital improvement fund established, distribution of certain oil and gas revenues—

SB 439, page 247

SB 505, pages 313, 397, 481

HB 649, pages 688, 724, 1837, 1837, 1841, 1843, 1845, 1847, 1849

Public school and college authority, authorized to issue bonds for certain educational purposes—

SB 650, page 711

Rehabilitation and crippled children service, reimbursements for state expenditures do not revert to state—

SB 86, pages 19, 123, 180, 220, 416, 453, 512, 1666, 1681, 1816, Act no. 85-544

Scenic rivers system act, Alabama, established, protection of waterways—

SB 295, page 91

State park revolving fund, allocation made for major repairs, maintenance service, capital outlay and improvement to land, buildings and equipment—

SB 232, pages 61, 145, 430, 766, 1334

HB 342, page 534

STATE INSURANCE FUND

Retired employees, election to continue coverage under group insurance plan, premium paid by state—

SB 285, pages 89, 232, 263, 363, 676, 884, 910, 1750, 1795, 1816, 1881, 1904, 1919, 1958, Act no. 85-649

STATE OF ALABAMA

Debts owed state, set-off collection procedure—

SB 626, pages 614, 797

STATE OFFICERS

Proration of salaries and fringe benefits prohibited—

SB 171, pages 45, 398, 559, 892, 1254

STATE PARKS

Concession contracts, term extended—

SB 231, pages 61, 145, 430

State park revolving fund, allocation made for major repairs, maintenance service, capital outlay and improvements to land, buildings and equipment—

SB 232, pages 61, 145, 430, 766, 1334

HB 342, page 534

U.S.S. Alabama battleship commission-power to contract limited, offer certain benefits to employees, mandated to establish state memorial park to honor all armed conflicts, to forgive indebtedness to state docks—

HB 344, pages 692, 725, 976, 976, 1339, 1370, 1424, 1522, 1803, 1849, Act no. 85-703

STATE PROPERTY

Annual inventory of, provided—

SB 176, pages 46, 235, 284, 368

HB 385, pages 309, 545

Disposition of, provided further—

SB 511, pages 314, 410, 592, 764, 804, 846, 1107, 1132, 1247, 1799,
1800, 1902, 1919, 1958, Act no. 85-665

Finance department, state purchasing agent authorized to make purchases
from out-of-state prison industries for resale to political subdivisions
by Alabama prison industries—

SB 326, pages 99, 404, 591

Inventory of, provided further—

SB 184, pages 47, 70, 131

Nonprofit corporations, authorized to purchase state property from
finance department—

HB 607, page 954

State agencies, inventory reporting of certain state property regulated—

SB 565, pages 390, 545, 1116

State agencies, property manager requirement of reporting inventory of
personal property changed to increase value and reporting period—

SB 578, pages 392, 545, 894, 1255, 1259, 1369, 1423

State parks, concession contracts, term extended—

SB 231, pages 61, 145, 430

Trade-in of certain machines and equipment by department of economic
and community affairs, authorized—

SB 655, pages 712, 869, 1280

STATE TENURE COMMISSION

Geographical limitations on membership removed—

SB 227, pages 60, 174, 430, 933

STATE TEXTBOOK COMMITTEE

Membership increased, open meetings provided—

SB 114, pages 23, 79, 195, 361

STATE TREASURER

Authorized to distribute petroleum inspection fees—

SB 158, pages 43, 124, 151, 367, 1327

Secretary of state, auditor, treasurer, salary increased—

SB 501, page 294

STATE TROOPERS

Minimum arresting officer manpower requirement for Alabama depart-
ment of public safety—

SB 716, page 1083

STATUTE OF LIMITATIONS

Architects and engineers, statute of limitation on certain civil actions concerning real estate improvement defects or deficiencies—
SB 196, page 51

Civil action against builders under supervision of architect or engineer constructing improvements on or to real property, in tort or otherwise, statute of limitations, retroactive effect—
SB 471, page 289
HB 587, page 1419

Crimes, falling under, number increased—
SB 9, page 6

SUBDIVISIONS

On-site disposal systems regulated prior to approval—
HB 457, page 1239

SUNSET LAW

Chiropractic examiners, board of, sunset law review, continued—
HB 155, pages 506, 546, 597, 607, 618, 795, 1753, 1805, Act no. 85-613

Dental examiners, board of, sunset law review, continued—
HB 151, pages 507, 603, 605, 628, 659, 659, 749, 754, Act no. 85-360

Hearing aid dealers, board of, sunset law review, modified, fees increased—
HB 159, pages 487, 547, 597, 612, 621, 643, Act no. 85-337

Medical examiners and medical licensure commission, board of, sunset law review, modified, litigation fund established, disposition of funds, members compensation provided—
HB 164, pages 487, 547, 597, 612, 622, 643, Act no. 85-338

Nursing home administrators, board of examiners of, sunset law review, continued, application and emergency permit fee regulated—
HB 149, pages 331, 405, 512, 562, 564, 570, Act no. 85-283

Nursing, board of, sunset law review, continued—
HB 152, pages 486, 545, 596, 603, 617, 642, Act no. 85-332

Optometry, board of, sunset law review, continued—
HB 153, pages 487, 546, 596, 605, 617, 642, Act no. 85-333

Pharmacy, board of, sunset law review, continued—
HB 156, pages 487, 546, 597, 611, 620, 642, Act no. 85-335

Physical therapy, board of, sunset law review, modified, board composition, qualification, travel expenses, subpoena power, special research and education program, altered—
HB 154, pages 487, 546, 597, 606, 618, 642, Act no. 85-334

Podiatry, board of, sunset law review, modified, certain fees altered, distribution of funds provided—
HB 157, pages 508, 546, 597, 611, 620, 750, 754, Act no. 85-359

SUNSET LAW (Continued)

Speech pathology, board of examiners for, sunset law review, modified, waiver of exam, fees regulated—

HB 148, pages 331, 405, 512, 561, 562, 753, 754, Act no. 85-361

Veterinary medical examiners, board of, sunset law review, modified, citizenship requirement regulated—

HB 158, pages 487, 547, 597, 612, 621, 642, Act no. 85-336

SUNSHINE LAW

Open-meeting laws strengthened—

HB 820, pages 1416, 1680, 1763, 1837, 1856, 1856, 1863

Textbook committee, membership increased, open meetings provided—

SB 114, pages 23, 79, 195, 361

SUPERNUMERARIES

County commissions may establish supernumerary county commissioner, qualifications and duties—

SB 684, page 788

District attorneys, supernumerary service time altered—

SB 21, pages 8, 233, 262, 1277, 1278, 1359

Pistol permits, district attorneys, supernumerary district attorneys and assistant district attorneys, excused from obtaining pistol permit—

SB 549, pages 349, 725, 1113

Supernumerary sheriffs, program reopened—

SB 240, pages 63, 124, 217, 368, 417, 453, 565, 566, 1414, 1429, 1441, Act no. 85-637

SUPPLEMENTAL APPROPRIATIONS

Agriculture and industries, department of, supplemental appropriation from agriculture fund, reimburse fund expenses in development of the farmers market—

SB 584, pages 458, 549, 616, 749, 751, 777, 804, 888, 927, 1417, 1428, 1441, Act no. 85-636

Conservation and natural resources department, supplemental appropriation made from state lands funds for fiscal year beginning October 1, 1985—

SB 284, page 89

SB 433, page 229

SB 453, pages 286, 326, 369, 769, 804, 852, 1947, 1954, 1959, Act no. 85-651

Counties, supplemental appropriation for expenses of state prisoners housed in county jails—

SB 214, pages 54, 148, 218

Forestry commission, supplemental appropriation—

SB 19, page 8

HB 58, pages 493, 549, 732, 933, 1808, 1809, 1848, Act no. 85-700

HB 602, pages 507, 550, 732, 935, 1808, 1809, 1849, Act no. 85-696

Health planning and development agency, supplemental appropriation from general fund—

HB 948, pages 1437, 1698, 1764, 1922, 1923, 1924, 1926, 1927

SUPPLEMENTAL APPROPRIATIONS (Continued)

Public accountancy, board of, supplemental appropriation from the Alabama board of public accountancy fund—
SB 120, pages 24, 399, 749, 756, 926

Public library service, supplemental appropriation for books and materials, from special educational trust fund—
SB 573, page 392

Public library service, supplemental appropriation, from special educational trust fund, for renovation and construction of buildings—
SB 569, page 391

SUPPORT PERSONNEL

Education budget, support, maintenance and development of public education—
SB 210, page 53

HB 331, pages 590, 796, 1014, 1014, 1077, 1130, 1132, 1172, 1233, 1235, 1236, 1247, 1248, 1265, 1271, 1406, 1406, Act no. 85-516

Educational employees of boards of education and colleges and universities, required to pay employees minimum wages—
SB 84, pages 19, 236, 263

Full-time education support personnel, two days of personal leave authorized—
SB 122, pages 25, 173, 243, 766, 804, 858, 859, 861, 919, 928, 1434, 1444, 1527, Act no. 85-644

Retirement systems, reopening teachers' retirement system for certain members to purchase prior service credit—
SB 682, page 787

School personnel, examination for tuberculosis, required—
SB 99, pages 21, 79, 151

Teachers' retirement system, board of control, membership increased—
SB 107, pages 22, 212, 239, 243, 261, 282, 1236, 1276, 1357, Act no. 85-519

SWINE

Swine diseases, eradication and control of, appropriation to department of agriculture and industries, indemnify owners of swine ordered destroyed—

SB 164, pages 44, 397, 599

HB 183, pages 1413, 1759, 1769

TANNEHILL HISTORICAL STATE PARK

Civil war institute, Alabama, established—
SB 369, pages 133, 407, 463

TAX ASSESSOR AND TAX COLLECTOR

Revenue department, authorized to pay certain qualified appraisers, mappers and tax administrators—
SB 504, pages 294, 404, 1280

Tax assessors and collectors, supernumerary, salary increased—
SB 509, pages 314, 406, 468, 934

Tax assessor, tax collector, revenue commissioner, license commissioner, compensation—
SB 414, pages 207, 296, 318, 351, 416, 453, 482, 537

TAXES

- A.U.M. dixie youth baseball, tax exempt—
SB 306, page 93
- Ad valorem taxes on property acquired by tax exempt body through eminent domain, regulated—
SB 343, pages 102, 727
- Athletic events, certain ones exempt from gross receipts tax—
SB 418, pages 208, 266, 424, 749, 755
HB 524, pages 686, 1505
- Big oak ranch, inc., tax exempt—
SB 493, page 292
- Birmingham stallions football team, inc., exempt from all state, city and county taxes for a period of five years—
SB 696, pages 790, 878, 1279, 1350, 1350
- Blind vendors, certain, tax exemption from sales, use and gross receipt taxes provided—
SB 140, pages 28, 178, 240, 261, 676, 884, 909, 1434, 1444, 1527,
Act no. 85-574
- Civic club charitable fund raising events, tax exempt—
SB 150, page 31
- Class 1 municipalities, certain public area transportation authorized exemption from taxes on gas and oil—
SB 454, pages 286, 325, 366, 452, 649
- Dixie youth baseball in Russell county, tax exempt—
SB 71, page 17
- Elks club, tax exempt—
SB 261, page 67
- Head start programs, tax exempt—
SB 632, page 615
- Homestead exemption for elderly, further provided—
SB 245, pages 64, 236, 305, 935
HB 514, pages 1415, 1698, 1761
- Hospital hospitality house of Huntsville, inc., tax exempt—
SB 302, page 93
- Hospitals, loss of state tax exemptions provided because of refusal to admit patient to neonatal unit—
SB 4, pages 5, 299, 599
- Income tax deductions for corporations, allowed same as individuals for donations to state of Alabama, charities and educational institutions—
SB 423, pages 209, 398, 591, 707, 895, 1255, 1263
- Income tax law revised regarding timely mailing, basis, subchapter S corporations, extensions, exemptions for charities, net operating losses, installment sales—
SB 568, page 391
HB 669, pages 848, 960, 1113, 1331, 1331, 1407, Act no. 85-515

TAXES (Continued)

- Income tax, single heads of household, certain exemptions—
SB 517, page 315
- King's ranch, tax exempt—
SB 13, pages 7, 723, 801
- Ladonia-Crawford water and fire protection authority, exempt from
utilities tax—
SB 72, page 17
- Materials used on a competitive bid contract obtained from a supplier
with a competitive bid contract, exempt from use and sales tax—
SB 598, page 461
- Missionaries, tax exempt—
SB 75, pages 17, 326, 430, 934
- Oil and gas drilling equipment used in federal waters, tax exempt—
SB 400, pages 164, 397, 895, 895, 1255, 1334, 1369, 1423
- On property acquired by tax exempt body through eminent domain,
regulated—
SB 343, pages 102, 727
- Physicians, any vitamins or dietary supplements that are dispensed in
performance of physician's professional service, sales tax exemption
provided—
SB 35, pages 10, 413, 469, 774, 1281, 1359, 1752, 1795, 1816, Act
no. 85-630
- POW thrift shops, tax exempt—
SB 199, page 52
- Private pension plans, income, tax exempt—
SB 238, page 62
- Procedures for giving notice to former owner on redemption sales for
delinquent taxes—
SB 15, pages 7, 80, 151, 213, 262, 323, 337, 344
SB 403, pages 165, 400, 591
- Retirement allowances of cities and counties, tax exempt—
SB 2, page 5
- Revenue department, authorized to pay certain qualified appraisers,
mappers and tax administrators—
SB 504, pages 294, 404, 1280
- Saraland woman's club, tax exempt—
HB 857, pages 1095, 1514, 1734, 1734, 1774, Act no. 85-589
- Selma-Dallas county historical preservation society, tax exempt—
SB 96, pages 21, 681, 733, 949, 966, 1012, 1012
- Tax assessors and collectors, supernumerary, salary increased—
SB 509, pages 314, 406, 468, 934
- Tax assessor, tax collector, revenue commissioner, license commissioner,
compensation—
SB 414, pages 207, 296, 318, 351, 416, 453, 482, 537

TAXES (Continued)

United Methodist service center, inc., tax exempt—
SB 621, page 559

University of Montevallo foundation and alumni association, tax exempt—
SB 16, page 7
SB 28, page 9

TEACHERS

Authorized to give certain number of sick leave days to spouse, if both are tenured teachers in same school system—
SB 685, page 788

Career ladder, "Alabama performance based career incentive program act," incentive-based pay plan for teachers—
SB 126, page 25
HB 544, pages 426, 680, 800, 913, 917, 1371, 1401, 1405 1420, 1421, 1426, 1429, 1430, 1441, 1442, 1444, 1445, 1446, 1448, 1465, 1466, 1467, 1468, 1469, 1484, 1485, 1486, 1523, 1527, 1529, 1678, 1788, 1788, Act no. 85-541

Colleges, schools and other educational personnel, granted professional leave to attend certain meetings—
SB 237, pages 62, 174, 241, 369, 370, 383, 426

Congress of parents and teachers, officers and full time employees, authorized to join teachers' retirement system—
SB 317, pages 97, 173, 263, 676, 884, 889, 909
HB 487, pages 687, 725

Educational employees, payroll deduction authorized for certain retirement accounts—
SB 575, page 392

Educational personnel, governing body required to grant release time to fulfill professional development requirements—
SB 324, pages 98, 236, 304

Educational personnel, records regulated according to federal guidelines—
SB 109, pages 23, 325, 435

Gifted children, local laws may allocate teacher units—
SB 590, page 460

Kindergartens, pupils included in minimum program fund—
SB 98, pages 21, 79, 151, 769, 857, 1087, 1129

Mandatory retirement, exceptions on year-by-year basis—
SB 95, pages 20, 78, 217, 361, 630
SB 198, page 51
HB 297, pages 121, 212, 228, 260, 322, 323, 327, 332, Act no. 85-208

Retirement systems, reopening teachers' retirement system for certain members to purchase prior service credit—
SB 682, page 787

Salary increase, appropriation—
HB 788, pages 704, 884, 1274, 1922, 1923, 1924, 1926, 1927

TEACHERS (Continued)

- School personnel, board of education required to defend where certain civil action brought—
SB 344, pages 102, 1084
- State tenure commission, geographical limitations on membership removed—
SB 227, pages 60, 174, 430, 933
- Teachers' retirement system, board of control, membership increased—
SB 107, pages 22, 212, 239, 243, 261, 282, 1236, 1276, 1357, Act no. 85-519
- Teachers who received advance degree, salary increase—
SB 230, pages 61, 884, 1113
- Teaching certificate, applicant fee increased—
SB 159, page 44
- Tenure, granted after one year if tenure in another system already held—
SB 185, pages 48, 173, 341, 1351
- Use of national teachers exam to test competency if current teacher competency exam declared biased or unfit—
SB 667, page 714

TEACHERS' RETIREMENT SYSTEM

- Board of control, membership increased—
SB 107, pages 22, 212, 239, 243, 261, 282, 1236, 1276, 1357, Act no. 85-519
- Congress of parents and teachers, officers and full time employees, authorized to join teachers' retirement system—
SB 317, pages 97, 173, 263, 676, 884, 889, 909
HB 487, pages 687, 725
- Cost-of-living increase to certain persons retired under the teachers' and employees' retirement systems—
SB 212, pages 53, 123, 150, 241, 323, 342, 1434, 1444, 1527, Act no. 85-631
SB 312, pages 94, 148, 218
HB 416, pages 1413, 1521, 1922, 1923, 1924, 1926, 1927
- Judges, re-open retirement system for certain previous service—
SB 576, pages 392, 680, 732
- Judicial retirement systems, certain circuit judges may credit prior service from teachers' retirement system—
SB 557, pages 389, 868, 959, 1328
- Junior colleges, certain teachers authorized to purchase retirement in teachers' retirement system—
SB 462, pages 287, 399, 616, 936
- Member benefit relative to surviving spouse changed—
SB 275, pages 87, 634, 801, 1086
HB 447, pages 699, 1506
- Opportunities industrialization center, Alabama, employees may join teachers' retirement system—
SB 79, pages 18, 173, 239, 360, 749, 752

TEACHERS' RETIREMENT SYSTEM (Continued)

Retired employees, election to continue coverage under group insurance plan, premium paid by state—

SB 285, pages 89, 232, 263, 363, 676, 884, 910, 1750, 1795, 1816, 1881, 1904, 1919, 1958, Act no. 85-649

Retired teachers' association officers and employees, authorized to join teachers' retirement system—

SB 340, pages 101, 297, 373, 937, 1299

Retirement systems, certain military service credit authorized—

SB 451, pages 250, 326, 516, 975

HB 823, pages 1416, 1521, 1922, 1923, 1924, 1926, 1927

Retirement systems, reopening teachers' retirement system for certain members to purchase prior service credit—

SB 682, page 787

Retirement systems, teachers' and employees' retirement systems eligible members, choice of lump sum death benefit and monthly allowance of survivors—

SB 168, pages 45, 70, 77, 196, 221, 222

TECHNICAL SCHOOLS

Commission on two-year college high technology education, established—

SB 582, pages 394, 634, 720, 773, 804, 889, 931

TELEPHONES

Telephone business, license tax regulated—

SB 481, page 290

Telephone call boxes, on certain highways, authorized—

HB 275, pages 513, 881, 1922, 1923, 1924, 1926, 1927, 1951, 1956

TENNESSEE VALLEY AUTHORITY

Tennessee valley authority exhibit commission, name altered, membership altered—

SB 450, pages 250, 410, 599, 940, 1286, 1359, 1913, 1954, 1959, Act no. 85-655

TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT

Finance department, appropriation for Tennessee-Tombigbee opening ceremonies—

HB 615, pages 508, 548, 977, 1922, 1923, 1924, 1926, 1927

TERRITORIAL ACT

Municipal electrical utilities, service area restricted—

SB 145, pages 29, 146, 165

HB 114, pages 231, 544, 599, 684, 706, 1667, 1668, 1739, 1743, 1745, 1775, Act no. 85-645

TEXTBOOKS

Kindergartens, board of education to purchase for—

SB 112, pages 23, 408, 591, 939, 1285, 1359

Textbook committee, membership increased, open meetings provided—

SB 114, pages 23, 79, 195, 361

TIME SHARES

Real estate commission, regulated further—

SB 80, pages 18, 704, 723, 1280

HB 327, pages 306, 414, 1260, 1837, 1863, 1915, Act no. 85-750

TRANSPORTATION

Highway director, authorized to administer public transportation programs—

SB 620, page 559

HB 627, pages 506, 881, 1113, 1886, 1893, 1893, 1895, 1897, 1916,
Act no. 85-753

TRANSPORTATION AUTHORITIES

Taxation, public transportation authorities exempt from gasoline and oil taxes—

SB 518, page 315

TRANSPORTATION COMPANIES

Subject to public service commission control, re-defined—

SB 722, page 1856

With certain gross receipts, required to pay inspection and supervision fees quarterly—

SB 712, page 1082

HB 1045, pages 1437, 1759, 1767, 1886, 1895, 1917, Act no. 85-756

TROY STATE UNIVERSITY

Boards of trustees at certain state colleges, additional membership authorized—

SB 137, page 27

Commemorative tags authorized—

SB 144, pages 29, 147, 185

HB 87, pages 505, 544, 599, 768, 804, 844, 913, Act no. 85-411

TRUCKS

Used by farmers, license tax and registration fee, exempt from 1984 tax increase and delinquent penalty—

SB 108, page 23

TRUST FUND

Environmental protection superfund established, Alabama, appropriation from interest on oil lease revenues—

SB 10, pages 6, 413, 613, 896, 946, 1256, 1263, 1369, 1423

Income tax, check-off to finance “keep the stallions in Alabama” trust fund—

HB 969, pages 954, 1521

UNEMPLOYMENT COMPENSATION

Emergency employer surcharge and termination of employee contribution defined—

SB 714, page 1082

UNIFORM CERTIFICATE OF TITLE AND ANTITHEFT ACT

Motor vehicles, uniform certificate of title definition, altered—

SB 175, pages 46, 147, 284, 367

HB 163, pages 166, 297, 645, 1836, 1858, 1922, 1923, 1924, 1926,
1927, Act no. 85-705

Surrender of vehicle, identification number plate requirement altered,
salvage certificate, insurance company exemption total loss redefined,
inspection, chop shops prohibited—

SB 672, pages 715, 869, 1280, 1290, 1290, 1400, 1930, 1955, 1959,
Act no. 85-650

UNIFORM COMMERCIAL CODE

Farmer products, sale, buyer takes free of security interest, exception—

SB 351, pages 103, 960

SB 510, pages 314, 407

Mobile homes, finance statement filing, regulated—

SB 307, pages 93, 411, 599

UTILITIES

Ladonia-Crawford water and fire protection authorized, exempt from
utilities tax—

SB 72, page 17

Licenses and renewals for sellers of hydroelectric power, due in August
of each year—

SB 485, page 291

Municipalities, any municipal officers who serve on boards, entitled to
fee for services—

SB 479, pages 290, 411, 468, 768, 804, 841

Territorial bill, municipal electrical utilities, service area restricted—

SB 145, pages 29, 146, 165

HB 114, pages 231, 544, 599, 684, 706, 1667, 1668, 1739, 1743, 1745,
1775, Act no. 85-645

Utility service use tax, city and county board of education, exempt—

SB 100, page 21

Water and sewer boards, interest on bonds, increased—

SB 11, page 6

SB 192, pages 49, 149, 179, 240

VETERANS

Disabled, certain ones to qualify for distinctive license plates—

SB 700, page 864

G.I. education act, Alabama, spouses recognized, removes delimiting
dates—

SB 441, pages 247, 416, 599

HB 64, pages 957, 1759, 1769, 1886, 1899, 1918, Act no. 85-758

Prisoners of war, authorized to retain distinctive license plates—

SB 200, pages 52, 122, 217

VETERANS (Continued)

- Prisoners of war and medal of honor recipients, license plates for two cars authorized—
SB 205, pages 52, 122, 218
- Prisoners of war and medal of honor recipients, distinctive tags, surviving spouse entitled—
SB 90, pages 20, 122, 217, 360, 804
- State retirement systems, service credit for certain military service authorized—
HB 823, pages 1416, 1521, 1922, 1923, 1924, 1926, 1927
- Veteran's affairs board membership, expanded to include American ex-prisoners of war, inc.—
SB 115, pages 24, 122, 180, 361, 417, 454, 565, 801, 1087, 1127
- Veteran's organization commanders, authorized to receive distinctive license plates, exempt from tax—
HB 372, pages 1437, 1759, 1768
- Veterans service medal, Alabama, established—
SB 461, pages 287, 416, 1280

VETERINARIANS

- Veterinary medicine, Alabama state board of, established, practice regulated—
SB 497, page 293
HB 877, page 1435

VICTIMS' SERVICES

- Crime victim impact and allocution act established, criminal procedure victim impact statements provided for in pre-sentence investigations—
SB 586, pages 458, 882, 1113
HB 858, pages 1414, 1521

VOLUNTEER FIRE DEPARTMENTS

- Vehicles authorized to use sirens and lights—
SB 486, pages 291, 411, 592, 734, 968, 1009, 1010

VOTERS AND VOTING

- Absentee voting, additional time for applying for, receiving and returning ballots—
SB 644, pages 629, 722, 799
- Absentee voting, procedures for curbing certain abuses—
SB 314, page 97
- Board of registrars, expense allowance, increased—
SB 527, pages 345, 879
- Board of registrars, meeting days in certain counties, altered—
SB 615, pages 558, 722, 800, 938
- Elections, alternative place of holding, designated by county commission—
HB 456, pages 1365, 1680, 1761

VOTERS AND VOTING (Continued)

Primary elections, date of, altered—

HB 301, pages 142, 297, 598, 601, 602, 650, 650, 652, 653, 654, 746, 793, 819, Act no. 85-389

Voter registration file maintenance system established, powers—

SB 320, pages 98, 547, 613, 769, 804, 833, 836, 863

Voters, registration and polling places to be accessible to handicapped and elderly—

SB 89, pages 20, 70, 85, 128, 139, 180, 199, 203, 422, 538, Act no. 85-234

WARRANTIES

Lemon law, motor vehicles, refunds for failure to conform to warranties—

SB 102, pages 22, 324, 377, 771

Motor vehicle franchise act, altered, lemon law, unfair trade practices prohibited—

SB 349, pages 103, 324, 468

WARRANTS

Arrest for misdemeanor or felony without a warrant authorized—

SB 375, pages 134, 551, 631

Arrest without warrants, authorized in certain cases involving traffic accidents—

SB 579, page 392

Night time search warrants, issuance of provided further—

SB 97, pages 21, 402, 481

Outstanding public assistance warrants, voided after certain period—

SB 241, page 63

SB 256, pages 66, 679

WASTES

Toxic substances, contractors liability, list established, council created to administer—

SB 435, pages 229, 266, 304, 381, 416, 453, 516, 656, 675, 1865, 1899, 1958, Act no. 85-658

WATER AND SEWER SYSTEMS

On-site disposal systems regulated prior to subdivision being approved—

HB 457, page 1239

Water and sewer boards, interest on bonds, increased—

SB 11, page 6

SB 192, pages 49, 149, 179, 240

WATER AND WATER COURSES

Coosa valley development authority, appropriation for certain capital outlay purposes—

SB 191, pages 49, 68, 77, 128, 139, 180, 200, 684, 717, 778, Act. no. 85-358

Municipal-county port authorities, certain public entities may give financial aid to—

SB 374, pages 134, 235, 304, 1004, 1371, 1425

WATER AND WATER COURSES (Continued)

Sailboarders, wind surfers, exempt from flotation devices—
SB 694, pages 790, 961, 1233

Scenic rivers system act, Alabama, established, protection of waterways—
SB 295, page 91

Troy-Pike county lake authority, established, composition, powers, duties—
HB 1013, pages 1092, 1507, 1729, 1729, 1771, Act no. 85-610

Water pollution control grant fund created, Alabama department of environmental management to make grants for purposes of constructing sewage treatment facilities—
HB 590, pages 590, 964, 1111, 1886, 1888, 1916, Act no. 85-755

WATER AUTHORITIES

Ladonia-Crawford water and fire protection authority, exempt from utilities tax—
SB 72, page 17

Municipalities and public water entities prohibited from acquiring or duplicating certain water systems—
SB 417, page 208
HB 583, pages 1440, 1759, 1768

WEAPONS

Industrial relations department law enforcement officers authorized to keep badges and pistols upon retirement—
HB 489, pages 1366, 1680, 1761, 1922, 1923, 1924, 1925, 1927, 1948

Pistol permits, district attorneys, supernumerary district attorneys, and assistant district attorneys, excused from obtaining pistol permit—
SB 549, pages 349, 725, 1113

United States law enforcement officials, retired, exempt from pistol permit license—
SB 105, page 22

WELFARE

Child support, pensions and security may assign payments owed—
SB 257, pages 66, 412, 591

Food stamps, illegal possession, penalties provided—
SB 93, pages 20, 401, 482

Public assistance warrants, pensions and security may void after certain time—
SB 241, page 63
SB 256, pages 66, 679

Welfare, eighteen year old limitation, repealed—
SB 259, pages 66, 304, 377

WILDLIFE

Hunter education, conservation and natural resources department to implement—
SB 595, pages 460, 961, 1113

Hunting rights of certain persons on property where resident game protection program is operating, protected—
SB 288, pages 90, 296

WORK RELEASE

Escape while on work release, leave or furlough deemed a felony—

SB 56, pages 15, 80, 151, 216, 1333

SB 160, pages 44, 234, 387

WORKMEN'S COMPENSATION

Every state agency to provide, through department of finance for each state employee on pro rata basis, department of finance to administer—

SB 715, page 1083

Law, includes benefits for cotton textile workers lung disease—

SB 149, pages 31, 408, 456

Law, title and references changed to Alabama workers' compensation law—

SB 394, pages 163, 237

HB 475, pages 308, 405, 903

Injured worker entitled to physician's treatment and choice of physician if dissatisfied with initial treatment—

SB 500, pages 294, 408, 457

WORTHLESS CHECKS

Charge for, increased—

SB 110, page 23

Lenders of money and extenders of credit authorized to assess charge for—

SB 273, pages 87, 149, 165, 242, 261, 323, 328, 516, 543, 594, Act no. 85-282

WRECKERS

Exempt from public service commission regulations—

SB 404, pages 165, 411, 720, 777, 804, 841

HB 606, pages 514, 881, 1886, 1911, 1940, Act no. 85-688

YOUTH

Children and youth, Alabama advisory council on, established, duties—

SB 580, pages 392, 679

SB 589, pages 459, 679

HB 1020, page 1417

Labor, bring child labor statutes into agreement with federal laws pertaining to working hours of children under sixteen—

SB 365, pages 133, 236, 429, 776, 804, 888, 929, 947

HB 86, page 1418

YOUTH SERVICES DEPARTMENT

Child care facilities, records and background information checks on operators and other employees—

HB 646, pages 691, 726, 1281

District board of education, reorganized—

SB 420, pages 209, 634, 733, 940, 1320, 1360

YOUTH SERVICES DEPARTMENT (Continued)

Juvenile court records and others, disposition of after youth is out of jurisdiction—

SB 358, pages 132, 304, 430

Oil and gas excise tax, boards of education, institute for deaf and blind, exempt—

SB 101, page 22

Youth services board, computing payment of expenses—

SB 186, pages 48, 412

Youth services revolving fund, established, funding, distribution, purpose—

SB 188, pages 48, 238, 262

YOUTHFUL OFFENDERS

Certain crimes must be tried as an adult—

SB 128, page 26

Children, detention in jails regulated—

SB 253, pages 65, 239, 262, 938

Once transferred to criminal court as adult, always tried as adult—

SB 157, pages 43, 401, 481

HB 400, pages 689, 883, 1361

ZONING

Mentally ill shall not be excluded from residential areas by zoning laws—

SB 559, pages 389, 963, 1116, 1299, 1300, 1360

Mentally retarded shall not be excluded from residential areas by zoning laws—

SB 560, pages 389, 963, 1116

On-site disposal systems regulated prior to subdivision being approved—

HB 457, page 1239

REGULAR SESSION 1985**LOCAL BILL INDEX****ACTS AMENDED, LOCAL ACTS**

- Anniston, 1953 Acts, Act no. 592, civil service, system, exemptions—
HB 952, pages 1102, 1509, 1673, 1673, 1741, Act no. 85-552
- Baldwin county, 1956 Acts, Act no. 92, law library fees distributed for
judicial administration—
HB 1056, pages 1410, 1512, 1735, 1735, 1774, 1948, 1958, Act no.
85-684
- Baldwin county, 1979 Acts, Act no. 79-623, oil and gas revenue dis-
position, gas and mineral rights on county rights-of-way—
HB 790, pages 495, 874, 1736, 1737, 1772, Act no. 85-580
- Baldwin county, 1984 Acts, Act no. 84-639, county commission, term
altered—
SB 622, pages 613, 677, 730, 783, 816, 956, 1322
- Birmingham, 1951 Acts, Act no. 929, elected officials authorized to receive
retirement benefits and salary—
SB 443, page 248
HB 691, pages 497, 966
- Birmingham, 1955 Acts, Act no. 452, mayor-council form of government
provided, compensation—
SB 445, pages 248, 396, 896, 972, 984
- Birmingham, 1955 Acts, Act no. 452, time altered between taking of
office by mayor and city council and first meeting of council—
SB 444, page 248
HB 690, pages 497, 966
- Birmingham, 1973 Acts, Act no. 1272, retirement system authorized to
make loans to employee members—
SB 47, pages 13, 73, 85, 107, 155, 743, 1269
- Birmingham, 1973 Acts, Act no. 1279, and 1975 Acts, Act no. 676, board
of managers approval of investments made by designee, investment
in stocks and bonds of private corporations—
SB 49, pages 14, 73, 85, 107, 156
- Calhoun county, Oxford, 1975 Acts, Act no. 963, civil service system,
board members compensation, applicant exam fee—
SB 410, pages 207, 270, 305, 333, 439, 611, 638, 670, Act no.
85-316
- Class 1 municipalities, 1984 Acts, Act no. 84-131, horse racing revenues
provided for—
HB 740, page 792
- Elmore county, 1984 Acts, Act no. 84-656, county commission elected
by districts—
HB 807, pages 496, 874, 1821, 1859, Act no. 85-713
- Etowah county, 1975 Acts, Act no. 829, county commission, powers
regarding administrative and financial affairs—
SB 702, pages 864, 965, 1366

ACTS AMENDED, LOCAL ACTS (Continued)

Fifteenth judicial circuit, 1973 Acts, Act no. 456, district attorney investigator hired, compensation—
HB 978, pages 1487, 1764

Fifteenth judicial circuit, 1978 Acts, Act no. 705, grand jury court reporter fees—
SB 654, pages 712, 882, 1001, 1301
HB 983, pages 1437, 1746, 1765

Geneva county, 1979 Acts, Act no. 79-585, tax assessor and tax collector authorized to hire clerks—
HB 880, pages 700, 873, 1285, 1720, 1720, 1772, Act no. 85-584

Jackson county, 1980 Acts, Act no. 80-453, county commission fees for mailing vehicle license tags—
HB 995, pages 1242, 1511, 1827, 1861, Act no. 85-729

Jefferson county, 1936 Acts, Act no. 176, notification of ad valorem tax increase by regular mail allowed—
HB 51, page 792

Jefferson county, 1945 Acts, Act no. 248, county employees vacation and leave regulated—
SB 419, pages 208, 325, 682, 786, 807, 832

Jefferson county, 1945 Acts, Act no. 248, department heads appointed by appointing authority—
SB 42, pages 12, 72, 430, 972, 978, 1076

Jefferson county, 1965 Acts, Act no. 497, retirement system benefits changed—
SB 455, pages 286, 324, 888, 897, 970, 983
SB 456, pages 286, 324, 682, 785, 808
SB 457, pages 287, 324, 682, 764, 806
HB 873, page 1100
HB 874, page 1100
HB 875, page 1101

Jefferson county, 1975 Acts, Act no. 210, county commission authorized to hire additional assistants—
SB 447, page 249

Lauderdale county, 1959 Acts, Act no. 88, authorizes additional clerks to maintain law library—
HB 617, pages 491, 872, 1819, 1858, Act no. 85-709

Lowndes county, 1983 Acts, Act no. 83-425, beer tax distributed—
HB 899, pages 1105, 1512, 1828, 1861, Act no. 85-726

Madison county, 1973 Acts, Act no. 984, board of registrars, county commission authorized to increase compensation—
SB 664, pages 714, 870
HB 130, page 1102

Mobile, city of, 1964 Acts, Act no. 243, pension and relief system for policemen and firemen, members allowed to withdraw—
SB 271, page 86
HB 176, pages 189, 301, 318, 352, 385, 624, 625, Act no. 85-312
HB 208, pages 190, 302, 318, 353, 386, 425, Act no. 85-230
HB 803, page 1243

ACTS AMENDED, LOCAL ACTS (Continued)

- Mobile, city of, 1985 Acts, Act no. 85-229, city government districts altered—
HB 1002, pages 1103, 1515, 1646, 1714, 1715, 1748, Act no. 85-623
- Mobile county, 1939 Acts, Act no. 470, personnel board supervisory committee, members further provided for—
HB 175, pages 187, 301, 318, 351
- Mobile county, 1955 Acts, Act no. 111, tax collector, salary increased—
SB 585, pages 458, 728, 802, 887, 1120, 1128, 1408, 1429, 1441, Act no. 85-635
HB 862, page 1099
- Mobile county, 1957 Acts, Act no. 181, residency requirements for county commission candidates—
HB 439, pages 193, 303, 318, 355, 648, 652, Act no. 85-340
- Mobile county, 1969 Acts, Act no. 480, board of education, duties and powers further defined—
SB 267, pages 85, 125, 137, 168, 183
HB 438, page 1241
- Mobile county, 1976 Acts, Act no. 319, ad valorem tax for mosquito, rodent and other vector control, exemptions—
HB 185, pages 188, 729, 802, 885, 905, 1171, 1234, Act no. 85-491
- Mobile county, 1981 Acts, Act no. 81-446, election officers, salary altered—
SB 651, page 711
HB 954, pages 1103, 1514, 1830, 1895, 1909, Act no. 85-694
- Mobile county, 1981 Acts, Act no. 81-450, solid waste management advisory board, number of membership increased, residency required, providing for retroactive effect—
HB 188, page 188
- Mobile county, 1982 Acts, Act no. 82-374, board of registrars, meeting days altered—
HB 437, pages 193, 729, 802, 886, 906, 1171, 1234, Act no. 85-492
- Mobile county, 1983 Acts, Act no. 83-731, bingo authorized at any location in the county—
HB 125, pages 187, 300, 981, 1116, 1120, 1135, Act no. 85-462
- Montgomery county, 1973 Acts, Act no. 356, county retirement system, retirement allowance and interest rates regulated—
HB 797, pages 957, 1085, 1683, 1684, 1740, Act no. 85-568
- Morgan county, 1980 Acts, Act no. 80-167, payments in lieu of taxes, formula altered—
SB 411, pages 207, 270, 304, 351, 439, 1889, 1900, 1958, Act no. 85-661
- Shelby county, 1971 Acts, Act no. 39, application of chemical substances by aircraft permitted under certain conditions—
SB 697, pages 863, 965, 1277
- Shelby county, 1982 Acts, Act no. 82-693, planning commission, election by beats—
SB 607, pages 557, 677, 741, 783, 815, 1171, 1235, 1247, Act no. 85-465

ACTS AMENDED, LOCAL ACTS (Continued)

- Shelby county, 1983 Acts, Act no. 83-714, alcoholic beverage licensees regulated—
SB 506, pages 313, 465, 741, 785, 809, 1171, 1235, 1247, Act no. 85-463
- Tuscaloosa county, 1981 Acts, Act no. 81-936, sheriff compensation altered—
HB 1005, pages 1101, 1507, 1688, 1688, 1740, Act no. 85-571
- Walker county, 1973 Acts, Act no. 1067, county commission meeting requirements altered—
HB 570, pages 485, 1511, 1725, 1726, 1770, Act no. 85-602
- Winston county, 1965 Acts, Act no. 873, tobacco tax increased—
SB 643, pages 629, 728, 801, 885, 904, 1329, 1427, 1441, Act no. 85-640
HB 949, pages 1094, 1509, 1826, 1861, Act no. 85-728

ACTS REPEALED, LOCAL ACTS

- Etowah county, 1975 Acts, Act no. 829, county commission, powers regarding administrative and financial affairs—
SB 702, pages 864, 965, 1366
- Jefferson county, 1979 Acts, Act no. 79-297, reidentification of electors—
SB 674, pages 716, 966
- Jefferson county, 1979 Acts, Act no. 79-572, Act no. 80-620, Act no. 82-365, tax assessor, tax collector and treasurer, compensation increased—
SB 41, pages 11, 325, 430, 887, 903
- Lawrence county, 1979 Acts, Act no. 79-399, worthless checks, tax assessor to provide procedure for handling—
HB 812, pages 498, 875, 1822, 1859, Act no. 85-715
- Lawrence county, 1980 Acts, Act no. 80-349, department of conservation to regulate use of dogs in hunting—
HB 811, pages 498, 874, 1821, 1859, Act no. 85-716
- Lowndes county, 1939 Acts, Act no. 316, 1951 Acts, Act no. 40, 1978 Acts, Act no. 119, appointment of clerks and part-time clerks for probate judge—
SB 713, pages 1082, 1254
- Mobile county, 1975 Acts, Act no. 870, oil and gas severance and private tax, distribution of proceeds—
HB 182, page 192
HB 999, pages 1097, 1515, 1918, 1940, Act no. 85-686
- Tallapoosa county, 1984 Acts, Act no. 84-818, board of registrars, meeting days regulated—
HB 107, pages 140, 175, 218, 334, 441, 463, Act no. 85-274
- Thirty-second judicial circuit, 1971 Acts, Act no. 123, district attorney, clerk hire allowance—
HB 616, pages 490, 798, 893, 971, 989, 1080, Act no. 85-496
- Tuscaloosa county, 1971 Acts, Act no. 1428, board of registrars, meeting days increased—
HB 921, pages 1411, 1509, 1700, 1700, 1744, Act no. 85-533

ACTS REPEALED, LOCAL ACTS (Continued)

Walker county, 1965 Acts, Act no. 24, 1966 Acts, Act no. 404, clerk-hire allowances to county offices and county officers by county governing body authorized—

HB 572, pages 485, 1511, 1726, 1727, 1771, Act no. 85-604

AUTAUGA COUNTY

Prattville, corporate limits altered—

HB 806, pages 496, 870, 977, 1119, 1121, 1136, Act no. 85-473

Probate judge, compensation by salary—

HB 890, page 791

HB 1054, page 1409

BALDWIN COUNTY

Bay Minette, corporate limits altered—

HB 1008, pages 1104, 1507, 1735, 1736, 1774, Act no. 85-594

County commission, term altered—

SB 622, pages 613, 677, 730, 783, 816, 956, 1322

Gulf Shores, corporate limits altered—

SB 153, pages 31, 72, 151, 170, 181

SB 705, pages 955, 1085, 1257, 1288, 1289, 1435, 1445, 1527, Act no. 85-633

Gulf Shores, corporate limits altered, referendum—

SB 177, pages 46, 72, 151, 169, 181

Law library, fees distributed for judicial administration—

HB 1056, pages 1410, 1512, 1735, 1735, 1774, 1948, 1958, Act no. 85-684

Oil and gas revenue disposition, gas and mineral rights on county rights-of-way—

HB 790, pages 495, 874, 1736, 1737, 1772, Act no. 85-580

Orange Beach, corporate limits altered—

SB 706, pages 955, 1085, 1257, 1288, 1289, 1435, 1445, 1527, Act no. 85-634

Sheriff, compensation—

HB 1064, page 1431

Tax assessor and tax collector consolidation referendum, county shall pay expenses of election—

HB 791, pages 495, 874, 1737, 1737, 1772, Act no. 85-579

BARBOUR COUNTY

Barbour county, draft beer authorized—

HB 345, pages 143, 176, 240, 260, 277, 279, 312, Act no. 85-200

BIBB COUNTY

Courthouse, renovation of, additional sales tax for—

HB 1052, pages 1409, 1513, 1699, 1700, 1745, Act no. 85-535

BLOUNT COUNTY

Branch banks, authorized—

HB 734, pages 502, 678, 1703, 1704, 1748, Act no. 85-615

County commission, districts altered—

HB 735, pages 488, 678, 1704, 1705, 1748, Act no. 85-614

County commission, shall serve full-time—

HB 334, pages 142, 678, 1705, 1705, 1747, Act no. 85-620

County health department, fees altered—

HB 915, pages 1105, 1509, 1706, 1706, 1748, Act no. 85-622

BUTLER COUNTY

Constable, office of, abolished—

HB 1007, page 1104

Second judicial circuit, district attorney, investigators authority, assistance before grand jury authorized—

HB 780, pages 695, 877, 1732, 1732, 1774

CALHOUN COUNTY

Anniston, civil service system, exemptions—

HB 952, pages 1102, 1509, 1673, 1673, 1741, Act no. 85-552

Anniston downtown development authority, established—

SB 408, pages 205, 268, 304, 332, 437, 609, 639, 670, Act no. 85-319

Conveyances of real property, grantee's address required—

SE 409, pages 206, 270, 305, 332, 439, 611, 637, 670, Act no. 85-314

County commission, composition altered, referendum—

HB 1030, pages 1361, 1506, 1673, 1674, 1742, Act no. 85-558

County officials, compensation—

SB 707, pages 955, 1085, 1265, 1289, 1339, 1679, 1795, 1816, Act no. 85-629

Hobson City, corporate limits altered—

SB 428, pages 228, 270, 305, 333, 440, 611, 638, 670, Act no. 85-317

Ohatchee, corporate limits altered—

SB 660, pages 713, 797, 896, 973, 988, 1360, 1428, 1441, Act no. 85-641

Oxford, civil service system, board members compensation, applicant examination fee—

SB 410, pages 207, 270, 305, 333, 439, 611, 638, 670, Act no. 85-316

Oxford, corporate limits altered—

SB 670, pages 715, 798, 896, 974, 989

Oxford downtown development authority, established—

SB 407, pages 203, 267, 304, 332, 411, 435, 608, 638, 670, Act no. 85-318

CALHOUN COUNTY (Continued)

Sales tax levied, referendum—

HB 1000, pages 1242, 1510, 1672, 1672, 1742, Act no. 85-555

Seventh judicial circuit, additional judgeships authorized—

SB 360, pages 132, 234, 262, 734, 774, 967, 1007, 1079

CHAMBERS COUNTY

Ad valorem tax, county commission authorized to levy, referendum—

HB 624, pages 500, 877, 977, 1116, 1126, 1135, Act no. 85-479

Artificial light to locate game, use of prohibited—

SB 642, pages 629, 679, 1342

Fifth judicial circuit, expense allowance for judges—

HB 1041, pages 1362, 1508, 1686, 1686, 1744, Act no. 85-534

Grantees of real property, addresses of in probate judge's office—

HB 912, pages 1096, 1509, 1710, 1710, 1748, Act no. 85-621

Lanett, corporate limits altered—

HB 1004, pages 1361, 1507, 1707, 1708, 1748, Act no. 85-624

Sheriff, expense allowance—

HB 680, pages 1096, 1514, 1707, 1707, 1748, Act no. 85-617

CHEROKEE COUNTY

Probate judge, recordation fee, distribution to county mental health programs—

HB 1069, pages 1439, 1507, 1713, 1713, 1749, Act no. 85-628

Sales tax, referendum—

HB 1018, pages 1093, 1507, 1712, 1713, 1748, Act no. 85-625

CHILTON COUNTY

Board of registrars, composition—

HB 768, pages 697, 877, 1257, 1698, 1699, 1744, Act no. 85-529

CLARKE COUNTY

Constable, office of, abolished—

HB 43, pages 140, 175, 262, 333, 441, 463, Act no. 85-275

CLAY COUNTY

Ashland, corporate limits altered—

HB 1047, pages 1411, 1512, 1711, 1711, 1749, Act no. 85-626

Eighteenth judicial circuit, additional district judgeship created—

SB 24, pages 8, 234, 262, 734, 775, 967, 1005, 1079

Sheriff, authorized to keep prisoners' food allowance—

HB 697, pages 492, 876, 977, 1117, 1124, 1136, Act no. 85-478

CLEBURNE COUNTY

Dynne creek watershed conservancy district, appropriation to county for use—

SB 561, page 389

Heflin downtown development authority, established—

SB 720, page 1252

CLEBURNE COUNTY (Continued)

Selling and redeeming land for taxes, procedures altered—

HB 805, pages 691, 874, 977, 1118, 1123, 1136, Act no. 85-472

Seventh judicial circuit, additional judgeships authorized—

SB 360, pages 132, 234, 262, 734, 774, 967, 1007, 1079

CODE AMENDED, LOCAL

Jefferson county, constables, fees increased—

SB 599, pages 461, 552, 733

HB 866, pages 1418, 1680, 1764

Ladonia-Crawford water and fire protection authority, exemption from utilities tax provided—

SB 72, page 17

Pike county, board of registrars, meeting days altered—

SB 558, pages 389, 725

HB 604, pages 1098, 1513, 1733, 1733, 1774, Act no. 85-591

Tallapoosa county, board of registrars, meeting days altered—

HB 412, pages 187, 212, 263, 1684, 1684, 1744, Act no. 85-527

Tuscaloosa county, board of registrars, meeting days increased—

HB 921, pages 1411, 1509, 1700, 1700, 1744, Act no. 85-533

COFFEE COUNTY

County commission, expense allowance—

SB 691, pages 789, 871, 925, 970, 991, 1330, 1428, 1441, Act no. 85-639

Probate judge and revenue commissioner clerks, salary increased—

HB 996, pages 1101, 1511, 1701, 1701, 1744, Act no. 85-531

Twelfth judicial circuit, supplemental salary to circuit judges and district attorneys—

SB 249, page 64

COLBERT COUNTY

Beer and wine sale, further regulated—

HB 99, pages 193, 466, 733, 782, 810, 846, Act no. 85-388

Colbert, Fayette, Cullman, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

Shoals development authority, established, CA—

SB 680, pages 787, 871, 949, 969, 995, 1076, 1330, 1427, 1441, Act no. 85-460

HB 997, pages 1096, 1511, 1827

CONSTITUTIONAL AMENDMENTS, LOCAL

Colbert county, shoals development authority, established—

SB 680, pages 787, 871, 949, 969, 995, 1076, 1330, 1427, 1441, Act no. 85-460

HB 997, pages 1096, 1511, 1827

Jefferson county, governing body of Birmingham authorized to create business development districts—

SB 646, pages 630, 879, 950

HB 1032, pages 1490, 1764

CONSTITUTIONAL AMENDMENTS, LOCAL (Continued)

Lauderdale county, shoals development authority, established—
SB 681, pages 787, 871, 948, 969, 991, 1079, 1408, 1429, 1441, Act
no. 85-461

HB 1003, pages 1097, 1510, 1827

Madison county, exemptions on certain portion of local property tax
repealed—

HB 1014, pages 1439, 1759, 1768, 1835, 1862, Act no. 85-577

Madison county, judicial appointment commission, composition and
terms altered—

HB 554, page 1098

Madison county, procedure for filling vacancies in circuit and district
court judgeships—

SB 427, pages 228, 406, 591, 791, 808

Morgan county, Hartselle, certain school district taxes continued upon
approval of voters—

SB 473, pages 289, 406, 1004, 1111, 1371, 1425

HB 902, pages 1093, 1510, 1826, 1862, Act no. 85-576

Pike county, county commission authorized to establish certain ad va-
lorem taxes on certain motor vehicles—

HB 861, pages 1099, 1512, 1729, 1730, 1776, Act no. 85-520

Randolph county, judge of probate placed on salary basis—

HB 168, pages 121, 211, 430, 1708, 1709, 1747, Act no. 85-522

Talladega county, professional sporting events taxes—

HB 990, page 1238

Walker county, bingo authorized for certain nonprofit organizations—

HB 736, pages 705, 1514, 1725, 1725, 1776, Act no. 85-521

Wilcox county, levy additional ad valorem tax for school fund, gas fund
and county general fund—

HB 777, pages 696, 797, 896, 975, 987, 1081, Act no. 85-410

COOSA COUNTY

Recordation fee, provided—

HB 555, pages 502, 872, 1692, 1692, 1774, Act no. 85-593

Sales tax, one percent additional county provided, referendum—

HB 973, pages 1101, 1508, 1676, 1676, 1742, Act no. 85-554

COVINGTON COUNTY

Coroner, compensation—

HB 340, pages 142, 176, 925, 971, 979, 1075, Act no. 85-439

CRENSHAW COUNTY

County commission, compensation—

HB 721, pages 505, 877, 1731, 1731, 1774, Act no. 85-592

Second judicial circuit, district attorney, investigators authority, assis-
tance before grand jury authorized—

HB 780, pages 695, 877, 1732, 1732, 1774

CULLMAN COUNTY

Circuit court clerk, salary increase—

SB 614, pages 558, 677, 718, 730, 783, 815, 1329, 1427, 1441, Act no. 85-643

Cullman, Fayette, Colbert, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

Good Hope, corporate limits altered—

HB 463, pages 271, 466, 893, 971, 1075, Act no. 85-440

HB 464, pages 271, 798, 893, 971, 988, 1080, Act no. 85-495

Medical center, ownership, advisory referendum—

HB 918, pages 685, 798, 893, 969, 990, 1081, Act no. 85-498

Sales and use tax, county commission authorized to levy, referendum—

HB 917, pages 685, 798, 893, 972, 989, 1080, Act no. 85-497

Thirty-second judicial circuit, district attorney authorized to hire additional clerk, Act 123, R.S. 1971 repealed—

HB 616, pages 490, 798, 893, 971, 989, 1080, Act no. 85-496

DALE COUNTY

Board of registrars, allowed additional meeting dates, retroactive—

HB 1075, pages 1491, 1763, 1831, 1862, Act no. 85-734

Legislative reapportionment of House Districts 88 and 89—

SB 382, pages 161, 405, 650, 770, 1332

Pistol permit fee increase to be deposited in sheriff's special fund—

HB 982, pages 1094, 1511, 1730, 1730, 1771, Act no. 85-608

Tax assessor and tax collector, compensation altered—

HB 1074, pages 1491, 1763, 1833, 1862, Act no. 85-733

DALLAS COUNTY

Selma and Dallas county economic development authority, established—

HB 720, pages 488, 728, 896, 974, 986, 1075, Act no. 85-443

Selma-Dallas county historical preservation society, tax exemption—

SB 96, pages 21, 681, 733, 949, 966, 1012, 1012

DEKALB COUNTY

Artificial light used to locate game, prohibited—

SB 263, pages 67, 125, 154, 169, 182

Tobacco, additional tax provided—

SB 703, pages 864, 965, 1135

HB 1028, pages 1430, 1512, 1678, 1678, 1742, Act no. 85-557

ELMORE COUNTY

Auburn university, appropriation for archaeological excavation in southern Elmore county—

SB 652, pages 711, 868, 959

County commission, authorized to provide clerical assistance for county officers—

HB 1040, pages 1361, 1508, 1695, 1695, 1770, Act no. 85-600

ELMORE COUNTY (Continued)

County commission, elected by districts—

HB 807, pages 496, 874, 1821, 1859, Act no. 85-713

Prattville, corporate limits altered—

HB 806, pages 496, 870, 977, 1119, 1121, 1136, Act no. 85-473

ESCAMBIA COUNTY

Atmore, corporate limits altered—

HB 127, pages 120, 147, 925, 970, 979, 1075, Act no. 85-438

HB 738, pages 489, 678, 1702, 1702, 1744, Act no. 85-528

Constable, office of, abolished—

HB 128, pages 141, 798, 925, 970, 1702, 1744, Act no. 85-526

ETOWAH COUNTY

County commission, additional expense allowance—

HB 562, pages 484, 1513, 1697, 1698, 1770, Act no. 85-595

County commission, authorized to finance veterans' memorial—

SB 708, pages 956, 1085, 1366

County commission, powers regarding administrative and financial affairs—

SB 702, pages 864, 965, 1366

Criminal cases, final orders in, filing procedure altered—

HB 614, pages 500, 872, 1819, 1858, Act no. 85-735

School board members, election of by qualified voters of each school district—

HB 3, pages 275, 1759, 1767, 1833, 1854, 1896, 1908, Act no. 85-690

Sixteenth judicial circuit, additional circuit judge, family division established—

SB 489, page 291

Sixteenth judicial circuit, circuit clerk, compensation altered—

SB 710, pages 1081, 1254

HB 1065, pages 1431, 1759, 1767, 1833, 1862, Act no. 85-732

Tax assessor, motor vehicle licensing division, established, compensation—

SB 721, page 1368

FAYETTE COUNTY

Fayette, Colbert, Cullman, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

FRANKLIN COUNTY

Franklin, Fayette, Colbert, Cullman, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

Tax assessor, authorized to levy fee for transactions—

SB 717, pages 1083, 1254

HB 1062, pages 1410, 1510, 1537, 1691, 1691, 1893, 1896, Act no. 85-685

GENEVA COUNTY

Board of education, authorized to establish salary for superintendent within certain index range of teachers—

HB 656, pages 500, 878, 1285, 1715, 1715, 1748, Act no. 85-618

Civil service system, established—

HB 883, pages 701, 873, 1285, 1719, 1719, 1773, Act no. 85-587

County commission, elected from certain districts, referendum—

HB 882, pages 700, 873, 1285, 1717, 1718, 1773, Act no. 85-586

County engineer authority, road and bridge maintenance established on county unit system—

HB 881, pages 700, 873, 1285, 1717, 1717, 1773, Act no. 85-585

Geneva, corporate limits altered—

HB 556, pages 274, 466, 616, 775, 811, 1172, 1234, Act no. 85-493

Superintendent of education, expense allowance—

HB 756, pages 495, 877, 1285, 1716, 1716, 1772, Act no. 85-583

Superintendent of education, travel allowance authorized—

HB 655, pages 500, 878, 1285, 1718, 1718, 1772, Act no. 85-582

Tax assessor and tax collector, authorized to hire clerks—

HB 880, pages 700, 873, 1285, 1720, 1720, 1772, Act no. 85-584

Tobacco tax, county commission authorized to levy, distribute, referendum—

HB 711, pages 495, 730, 800, 886, 908, 916, Act no. 85-433

GREENE COUNTY

Board of registrars, meeting days in certain counties altered—

SB 615, pages 558, 722, 800, 938

Redistrict county commission and board of education, election provided—

SB 601, pages 462, 677, 719, 784, 814, 1089, 1131, 1247, Act no. 85-485

HENRY COUNTY

Superintendent of education, compensation—

HB 549, pages 273, 466, 616, 764, 775, 811, 847, Act no. 85-385

HOUSTON COUNTY

Ad valorem tax for industrial development and rural fire protection—

HB 1011, pages 1242, 1679, 1763, 1832, 1862, Act no. 85-730

County commission to provide relief funds for certain county clean-up—

HB 645, pages 501, 878, 1824, 1858, Act no. 85-710

District judgeship, additional created, qualifications and compensation prescribed—

SB 276, pages 87, 234, 262, 362, 757, 897, 927, 1401, 1663, 1681, 1816, Act no. 85-546

Twentieth judicial circuit, circuit clerk to keep court orders and judgments in minutes—

HB 546, pages 273, 872, 1818, 1858, Act no. 85-706

HOUSTON COUNTY (Continued)

Twentieth judicial circuit, not guilty plea prior to arraignment waives right to arraignment—

HB 547, pages 273, 872, 1818, 1858, Act no. 85-736

Webb, corporate limits altered—

HB 707, pages 502, 1698, 1698, 1763, 1831, 1896, 1909,
Act no. 85-692

JACKSON COUNTY

Artificial light, use of to locate game, prohibited—

SB 264, pages 67, 79, 154, 169, 185, 305, 317, 342, Act no. 85-228

County commission, fees for mailing vehicle license tax provided—

HB 995, pages 1242, 1511, 1827, 1861, Act no. 85-729

Jackson, Fayette, Colbert, Cullman, Franklin, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

Motor fuel tax levied, referendum—

HB 766, pages 489, 728, 918, 974, 986, 1075, Act no. 85-409

Revenue commission-elect hired, to study duties of office—

SB 512, pages 314, 397, 472, 664, 665, 1089, 1131, 1247, Act no.
85-480

Tax assessor, relieved from certain monetary obligations—

HB 695, pages 504, 678, 918, 974, 985, 1075, Act no. 85-442

JEFFERSON COUNTY

Ad valorem tax increase, notification by regular mail allowed—

HB 51, page 792

Ad valorem tax, refunds provided further—

HB 844, page 1100

Alabama jazz museum and institute, established—

SB 298, page 92

Appointing authority to appoint department heads—

SB 42, pages 12, 72, 430, 972, 978, 1076

Bessemer, mayor-council form of government provided—

HB 431, page 958

Birmingham, authorized to create business development districts, CA—

SB 646, pages 630, 879, 950

HB 1032, pages 1490, 1764

Birmingham, board of managers approval of investments made by designee, invest in stocks and bonds of private corporations—

SB 49, pages 14, 73, 85, 107, 156

Birmingham, corporate limits altered—

SB 38, pages 11, 72, 94, 106

SB 662, pages 713, 966, 1257

HB 235, pages 211, 324, 430, 451, 648, 652, Act no. 85-342

JEFFERSON COUNTY (Continued)

- Birmingham, elected officials authorized to receive retirement benefits and salary—
 - SB 443, page 248
 - HB 691, pages 497, 966
- Birmingham, mayor compensation altered—
 - SB 445, pages 248, 396, 896, 972, 984
- Birmingham retirement system, authorized to award pension to Catherine Robertson—
 - SB 117, pages 24, 73, 85, 107, 157, 423, 434, 538, Act no. 85-238
- Birmingham retirement system, authorized to award pension to Jessie James White—
 - SB 48, pages 13, 73, 85, 107, 156, 422, 434, 538, Act no. 85-236
- Birmingham retirement system, authorized to make loans to employee member—
 - SB 47, pages 13, 73, 85, 107, 155, 743, 1269
- Birmingham stallions football team, inc., exempt from all state, city and county taxes for a period of five years—
 - SB 696, pages 790, 878, 1279, 1350, 1350
- Birmingham, time between the taking of office by mayor and city council and first meeting of council altered—
 - SB 444, page 248
 - HB 690, pages 497, 966
- Civil rights museum, established—
 - SB 297, pages 91, 172, 217, 363, 435
- Class 1 municipalities, certain public area transportation authorized exemption from taxes on gas and oil—
 - SB 454, pages 286, 325, 366, 452, 649
- Class 1 municipalities, governing body, expense allowance provided—
 - SB 442, pages 248, 396, 918, 972, 985
- Class 1 municipalities, horse racing revenues provided for—
 - HB 740, page 792
- Constables, fees increased—
 - SB 599, pages 461, 552, 733
 - HB 866, pages 1418, 1680, 1764
- County commission, authorized to hire additional assistants—
 - SB 447, page 249
- County commission, expense allowance provided further—
 - SB 448, page 249
- County commission, reorganization and redistricting provided—
 - SB 354, page 131
- County commission, salary increase—
 - SB 446, pages 249, 396, 896, 973, 984
- County employees, vacation and leave regulated—
 - SB 419, pages 208, 325, 682, 786, 807, 832

JEFFERSON COUNTY (Continued)

- Fultondale, corporate limits altered—
 - SB 39, pages 11, 72, 94, 106, 155
 - HB 233, pages 210, 324, 431, 451, 649, 652, Act no. 85-341
- Gardendale, corporate limits altered—
 - SB 40, page 11
- Hueytown, corporate limits altered—
 - HB 819, page 793
- Personnel board, compensation provided further for members and chairman to attend board meetings and hearings—
 - HB 1010, page 1430
- Population 600,000 or more, county and municipalities authorized to sell alcoholic beverages on Sunday after 12:01 p.m., upon approval by affected electors, local governing body to regulate—
 - SB 526, pages 344, 395, 468, 623, 665
- Reidentification of electors provided—
 - SB 674, pages 716, 966
- Retirement system, benefits changed—
 - SB 456, pages 286, 324, 682, 785, 808
 - SB 457, pages 287, 324, 682, 764, 806
 - HB 875, page 1101
- Retirement system, joint survivorship option changed—
 - SB 455, pages 286, 324, 888, 897, 970, 983
 - HB 873, page 1100
- Retirement system, non-service connected disability provided further—
 - HB 874, page 1100
- School buses, authorized to serve students residing within two miles of school if dangerous situation exists—
 - HB 23, page 140
- Sheriff, compensation altered—
 - SB 412, pages 207, 324, 431, 452, 809
- Sheriff's department, authorizes office space in criminal justice building for certain personnel—
 - SB 336, pages 101, 966, 1113, 1264
 - HB 479, page 1362
- Tarrant, corporate limits altered, referendum—
 - SB 679, page 717
- Tax assessor, authorized to correct errors in ad valorem tax—
 - HB 845, page 1100
- Tax assessor, tax collector, and treasurer, compensation increased—
 - SB 41, pages 11, 325, 430, 887, 903
- Tax assessor's office, additional compensation for certain employees—
 - SB 639, page 628
- Tenth judicial circuit, district judge, compensation—
 - HB 311, pages 191, 325, 430, 450, 809, 1742, Act no. 85-647

JEFFERSON COUNTY (Continued)

Tenth judicial circuit, supplemental county salaries for district court judge provided—

SB 131, pages 26, 73, 85, 108, 180, 197

Treasurer, expense allowance—

SB 43, pages 12, 73, 85, 106, 155

LAMAR COUNTY

Lamar, Fayette, Colbert, Cullman, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

LAUDERDALE COUNTY

Conveyances made to local port authorities in Cordova and Florence—

SB 27, pages 9, 402

HB 72, pages 198, 632, 1886, 1899, 1901, 1918, Act no. 85-646

County commission, full-time chairman provided, referendum—

HB 851, pages 698, 875, 1523, 1675, 1675, 1741, Act no. 85-551

HB 1012, pages 1092, 1508, 1674, 1675, 1742, Act no. 85-556

Lauderdale, Fayette, Colbert, Cullman, Franklin, Jackson, Lamar, Lawrence, Limestone, Madison, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

Law Library, additional clerks provided to maintain—

HB 617, pages 491, 872, 1819, 1858, Act no. 85-709

Shoals development authority, established, CA—

SB 681, pages 787, 871, 948, 969, 991, 1079, 1408, 1429, 1441, Act no. 85-461

HB 1003, pages 1097, 1510, 1827

LAWRENCE COUNTY

Board of registrars, additional compensation authorized—

HB 580, pages 486, 965, 1111, 1824, 1858, Act no. 85-707

Board of trustees, provided for Jesse Owens park—

HB 810, page 498, 874, 1821, 1859, Act no. 85-714

County superintendent of education, expense allowance authorized—

HB 830, pages 695, 965, 1111, 1825, 1860, Act no. 85-720

Courtland, corporate limits altered—

HB 1043, page 1431

Department of conservation, to regulate use of dogs in hunting—

HB 811, pages 498, 874, 1821, 1859, Act no. 85-716

Election officials, compensation altered—

HB 579, pages 486, 965, 1111, 1824, 1858, Act no. 85-737

Lawrence, Fayette, Colbert, Cullman, Franklin, Jackson, Lamar, Lauderdale, Limestone, Madison, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

LAWRENCE COUNTY (Continued)

License division established in tax assessor's office, probate judge's duties transferred to license division—

HB 813, pages 498, 875, 1822, 1859, Act no. 85-717

North Courtland, corporate limits altered—

HB 582, page 501

HB 1039, page 1431

Sheriff, given exclusive control of pistol permit fee—

HB 581, pages 499, 872, 1819, 1858, Act no. 85-708

Tax assessor, provide procedure for handling worthless checks—

HB 812, pages 498, 875, 1822, 1859, Act no. 85-715

Thirty-sixth judicial circuit, court reporter expense allowance—

HB 814, pages 499, 875, 1822, 1860, Act no. 85-741

Thirty-sixth judicial circuit, district and circuit judges, expense allowance—

HB 821, pages 695, 965, 1111, 1825, 1860, Act no. 85-719

LEE COUNTY

Auburn downtown development authority, established—

HB 339, pages 143, 175, 216, 225, 225, 244, Act no. 85-185

Board of registrars, compensation increased—

SB 508, pages 314, 465, 592, 778, 810

HB 732, pages 696, 877, 949, 1118, 1125, 1136, Act no. 85-470

Court reporters, additional compensation authorized—

SB 507, pages 314, 465, 592, 778, 810

HB 731, pages 696, 877, 949, 1118, 1125, 1136, Act no. 85-469

LIMESTONE COUNTY

Ad valorem tax, additional tax levied, referendum provided—

HB 897, pages 702, 874, 949, 1119, 1123, 1136, Act no. 85-474

County commissioners, work full-time—

HB 315, pages 186, 212, 241, 354, 442, 464, Act no. 85-272

License commissioner, to be elected upon referendum approval—

HB 962, pages 1106, 1508, 1677, 1677, 1741, Act no. 85-553

Limestone, Fayette, Colbert, Cullman, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Madison, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

LOWNDES COUNTY

Beer tax, distribution provided—

SB 600, pages 461, 677, 719, 785, 813, 1089, 1131, 1247, Act no. 85-483

HB 899, pages 1105, 1512, 1828, 1861, Act no. 85-726

Board of registrars, meeting days in certain counties altered—

SB 615, pages 558, 722, 800, 938

Clerks and part-time clerks, provided for probate judge—

SB 713, pages 1082, 1254

LOWNDES COUNTY (Continued)

Districting commission, established to redistrict county commission and board of education—

SB 603, pages 462, 677, 719, 784, 815, 1090, 1131, 1247, Act no. 85-487

HB 900, pages 1105, 1513, 1829, 1861, Act no. 85-740

Mosses, corporate limits altered—

SB 628, pages 614, 677, 719, 783, 816, 1090, 1132, 1247, Act no. 85-482

Second judicial circuit, district attorney, investigators authority assistance before grand jury authorized—

HB 780, pages 695, 877, 1732, 1732, 1774

Superintendent of education, appointment of by county commission authorized—

SB 602, pages 462, 677, 719, 784, 814, 1090, 1131, 1247, Act no. 85-481

HB 898, pages 1105, 1512, 1827, 1861, Act no. 85-725

MACON COUNTY

Fifth judicial circuit, expense allowance for judges—

HB 1041, pages 1362, 1508, 1685, 1685, 1744, Act no. 85-534

MADISON COUNTY

Ad valorem tax, increase in areas served by county board of education—

HB 703, page 702

Board of registrars, compensation regulated

HB 130, page 1102

HB 1059, pages 1410, 1759, 1768, 1834, 1896, 1909, Act no. 85-695

Board of registrars, county commission authorized to increase compensation—

SB 664, pages 714, 870

County commission, limitations on expenditures during last year of term of office—

HB 994, page 1103

County commission, required to hold all public meetings at night—

HB 993, page 1103

Court costs, assessed in drug cases, distribution to alcohol and drug education programs provided—

HB 631, pages 702, 965, 1694, 1695, 1770, Act no. 85-596

Huntsville, city council single member districts provided, election and procedure—

SB 666, pages 714, 798, 918, 973, 990

Judicial appointment commission, composition and terms altered, CA—

HB 554, page 1098

License commissioner, authorized to issue boat licenses by mail—

SB 422, pages 209, 270, 318, 351, 440, 611, 638, 670, Act no. 85-315

MADISON COUNTY (Continued)

Madison, Fayette, Colbert, Cullman, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Marion, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

Municipalities, authorized to fund insurance for retired employees—

HB 859, pages 703, 965, 1693, 1694, 1770, Act no. 85-598

Procedure established for filling vacancies in circuit and district court judgeships, CA—

SB 427, pages 228, 406, 591, 791, 808

Property tax, exemptions on certain portion of repealed, CA—

HB 1014, pages 1439, 1759, 1768, 1835, 1862, Act no. 85-577

MARENGO COUNTY

Fire protection, charge authorized—

HB 715, pages 504, 798, 950, 1117, 1121, 1136, Act no. 85-467

MARION COUNTY

Bear Creek, corporate limits altered—

SB 695, pages 790, 872, 1290, 1349, 1350, 1435, 1444, 1527, Act no. 85-514

HB 1017, pages 1093, 1508, 1825, 1862, Act no. 85-731

Criminal court records, filing of, procedure altered—

SB 718, pages 1083, 1254

HB 1061, pages 1410, 1508, 1537, 1690, 1690, 1741, Act no. 85-573

Marion, Fayette, Colbert, Cullman, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Morgan, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

MARSHALL COUNTY

Albertville, corporate limits altered—

HB 706, pages 503, 678, 1818, 1859, Act no. 85-711

HB 896, pages 849, 874, 1820, 1861, Act no. 85-724

County commission, powers, duties, regulated—

HB 852, pages 703, 876, 1823, 1860, Act no. 85-721

County commission study commission, established—

HB 853, pages 703, 876, 1823, 1860, Act no. 85-722

Coroner expense allowance, position reclassified—

SB 594, pages 460, 676, 732, 785, 813, 1171, 1235, 1247, Act no. 85-464

Superintendent of education, method of electing altered—

HB 1072, page 1787

MOBILE COUNTY

Ad valorem tax for mosquito, rodent and other vector control provided, exemptions—

HB 185, pages 188, 729, 802, 885, 905, 1171, 1234, Act no. 85-491

Bingo, authorized at any location in the county—

HB 125, pages 187, 300, 981, 1116, 1120, 1135, Act no. 85-462

MOBILE COUNTY (Continued)

Board of education, duties and powers further defined—

SB 267, pages 85, 125, 137, 168, 183

HB 438, page 1241

Board of registrars, county commission authorized to extend meeting days—

HB 440, pages 193, 730, 802, 969, 987, 1080, Act no. 85-494

Board of registrars, meeting days altered—

HB 437, pages 193, 729, 802, 886, 906, 1171, 1234, Act no. 85-492

Board of registrars, volunteer deputy registrars authorized—

HB 442, page 194

Campaign materials, distribution at polling place on election day prohibited—

SB 272, pages 87, 126, 137, 167, 184, 422, 434, 538, Act no. 85-233

Citronelle, oil and gas tax proceeds, provides for distribution to volunteer rescue squad and historical society, board established—

HB 180, pages 189, 302, 318, 352, 983, 1172, 1234, Act no. 85-490

Class 2 municipalities, form of government established—

SB 384, page 161

Class 2 municipalities, form of government established, referendum—

HB 526, pages 271, 303, 317, 381, 381, 385, 419, Act no. 85-229

Class 2 municipalities, new city government established—

SB 378, page 135

SB 379, page 135

Conservation office, established as division of sheriff's office, employees, qualifications, compensation provided for from general fund county treasurer—

HB 633, page 510

County commission, residency requirement for candidates provided—

HB 439, pages 193, 303, 318, 355, 648, 652, Act no. 85-340

County commission, vacancies, method of filling provided—

SB 262, pages 67, 125, 137, 169, 182, 197, 422, 434, 538, Act no. 85-237

HB 212, pages 190, 303, 318, 354, 648

County commissioners, expense allowance provided—

HB 748, pages 489, 730, 803, 886, 909, 916, Act no. 85-434

County governing body, required to pay expense of relocating water lines from general fund—

HB 190, pages 493, 729, 802

Dauphin Island, use of red clay prohibited—

HB 187, pages 188, 302, 318, 353, 646, 652, Act no. 85-339

Election officers, salary altered—

SB 651, page 711

HB 954, pages 1103, 1514, 1830, 1895, 1909, Act no. 85-694

License commission, branch office in Citronelle established—

HB 177, page 490

MOBILE COUNTY (Continued)

- License commissioner, procedure for deposits altered—
HB 719, page 509
- Mardi gras day, substituted for observance of Thomas Jefferson's birth-day—
SB 698, page 863
- Match grant program, for children and senior citizens established—
HB 855, page 1098
- Mobile city government, districts altered—
HB 1002, pages 1103, 1515, 1646, 1714, 1715, 1748, Act no. 85-623
- Mobile city of, corporate limits altered—
HB 864, pages 1095, 1514, 1829, 1860, Act no. 85-723
- Mobile, city of, firemen and policemen's pension plan altered—
SB 269, page 86
- Mobile, city of, pension and relief system for policemen and firemen, members allowed to withdraw from participation—
SB 271, page 86
HB 176, pages 189, 301, 318, 352, 385, 624, 625, Act no. 85-312
HB 208, pages 190, 302, 318, 353, 386, 425, Act no. 85-230
HB 803, page 1243
- Mobile, city of, pension system for retired policemen and firemen, benefits adjusted—
HB 211, pages 190, 303, 318, 354, 425, Act no. 85-231
- Mobile, city of, retirement service credit granted for certain service earned with employees' retirement system—
HB 674, pages 1363, 1680, 1762
- Municipality which collects taxes on school athletic events must return funds to the school's athletic department—
HB 638, pages 491, 730, 802
- Oil and gas severance and privilege tax, distribution of proceeds provided further—
HB 999, pages 1097, 1515, 1918, 1940, Act no. 85-686
- Oil and gas severance tax, distribution of altered—
SB 268, pages 86, 300, 318, 320, 355, 435, 643
- Oil and gas severance tax, distribution of provided further—
HB 182, page 192
- Personnel board, supervisory committee, members further provided for—
HB 175, pages 187, 301, 318, 351
- Polling places, hours regulated—
HB 192, pages 191, 302, 318, 353, 647, 753, 755, Act no. 85-363
- Prichard, procedure for filling vacancy in office of mayor provided—
SB 265, pages 68, 125, 137, 168, 183, 422, 434, 538, Act no. 85-235
HB 210, pages 190, 303, 318, 353, 648
- Probate judge, authorized to sell voter lists—
HB 639, pages 491, 730, 802, 886, 908, 916, Act no. 85-432

MOBILE COUNTY (Continued)

Recreational facilities of non-profit corporations, exempt from ad valorem taxes—

HB 184, pages 188, 302, 318, 352, 645, 753, 754, Act no. 85-362

Saraland women's club, tax exemption provided—

HB 857, pages 1095, 1514, 1734, 1734, 1774, Act no. 85-589

Satsuma, corporate limits altered—

HB 138, page 1099

Solid waste management advisory board, membership increased, residency requirements, retroactive effect provided for—

HB 188, page 188

Stockholders, names and shares listed in minutes of Mobile county commission meeting thirty days prior to approval of sale of real estate required—

HB 191, page 191

Subdivision development, county commission to regulate—

HB 178, pages 194, 301, 318, 352, 980, 1172, 1234, Act no. 85-489

Tax assessor, salary provided further—

HB 496, pages 509, 730, 802, 1714, 1714, 1747, Act no. 85-619

Tax collector, compensation provided further—

SB 585, pages 458, 728, 802, 887, 1120, 1128, 1408, 1429, 1441, Act no. 85-635

Tax collector, salary increased—

HB 862, page 1033

Thirteenth judicial circuit, bailiffs, compensation—

HB 179, pages 496, 729, 802, 1738, 1738, 1772, Act no. 85-581

Thirteenth judicial circuit, circuit court magistrates, office established, powers, duties—

SB 609, pages 557, 729, 802, 887, 904, 1408, 1428, 1441

Thirteenth judicial circuit, district court clerk, expense allowance provided at the discretion of county commission—

HB 850, pages 1099, 1514, 1738, 1739, 1772, Act no. 85-578

Thirteenth judicial circuit, require recording of all orders and decrees of judges—

HB 136, pages 192, 301, 1817, 1857, Act no. 85-704

Volunteer deputy registrars, authorized—

SB 270, pages 86, 126, 137, 168, 184, 480, 543, 594, Act no. 85-310

Warehouses, leasing of by county commission, competitive bids required—

HB 189, page 490

MONROE COUNTY

Excell, corporate limits altered—

HB 408, pages 186, 212, 305, 354, 442, 464, Act no. 85-271

Sales tax, levied by county commission—

HB 1053, pages 1409, 1513, 1689, 1690, 1741, Act no. 85-572

MONTGOMERY COUNTY

Circuit judges, supplemental salary provided—

SB 641, pages 629, 679, 801, 885, 904, 1890, 1900, 1958, Act no. 85-660

County commissioners, entitled to additional expense allowance—

HB 309, pages 195, 212, 1679, 1680, 1741, Act no. 85-550

County retirement system, retirement allowance and interest rates regulated—

HB 797, pages 957, 1085, 1683, 1684, 1740, Act no. 85-568

Draft beer, authorized—

SB 550, pages 350, 397, 468, 622, 666, 675, 1890, 1899, 1958

Fifteenth judicial circuit, circuit clerk, compensation—

SB 402, pages 165, 211, 241, 260

Fifteenth judicial circuit, district attorney, investigator hired, compensation, duties—

HB 978, pages 1487, 1764

Fifteenth judicial circuit, grand jury court reporter, authorized to receive certain fees and benefits—

HB 983, pages 1437, 1746, 1765

Fifteenth judicial circuit, grand jury reporters, authorized to receive certain fees and benefits—

SB 654, pages 712, 882, 1001, 1301

Local laws, published in newspaper in city of Montgomery—

HB 421, pages 194, 1513, 1682, 1683, 1740, Act no. 85-567

Probate judge, compensation provided further—

SB 623, pages 613, 870, 1001, 1264

Sheriff, compensation provided further—

SB 387, pages 162, 211, 241, 260

Tax assessor, tax collector, compensation provided further—

SB 386, pages 162, 211, 241, 259, 387, 423, 428, 445, 1881, 1919, 1958, Act no. 85-663

MORGAN COUNTY

County superintendent of education, expense allowance provided—

HB 967, page 1242

Decatur, corporate limits altered—

HB 816, pages 1104, 1512, 1828, 1860, Act no. 85-718

Hartselle, certain school district taxes continued upon approval of voters, CA—

SB 473, pages 289, 406, 1004, 1111, 1371, 1425

HB 902, pages 1093, 1510, 1826, 1862, Act no. 85-576

Morgan, Fayette, Colbert, Cullman, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Walker, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

MORGAN COUNTY (Continued)

State docks, conveyances to local port authorities in Cordova and Florence provided—

SB 27, pages 9, 402

HB 72, pages 198, 632, 1886, 1899, 1901, 1918, Act no. 85-646

Tennessee Valley Authority, payments made by, in lieu of taxes, formula altered—

SB 411, pages 207, 270, 304, 351, 439, 1889, 1900, 1958, Act no. 85-661

PERRY COUNTY

Board of registrars, meeting days in certain counties altered—

SB 615, pages 558, 722, 800, 938

County commission and board of education, redistricted and election provided—

SB 604, pages 462, 678, 719, 784, 817, 1090, 1131, 1247, Act no. 85-486

HB 893, pages 701, 874, 949, 1119, 1122, 1429, Act no. 85-524

Marion Military Institute, appropriation of \$375,000.00 fiscal year ending September 30, 1986 used for support and maintenance, examiners of public accounts empowered to audit—

SB 197, pages 51, 399, 481

PICKENS COUNTY

Board of education, substitute other textbooks for state approved textbooks—

HB 841, pages 697, 1512, 1828, 1860, Act no. 85-739

PIKE COUNTY

Board of registrars, meeting days altered—

SB 558, pages 389, 725

HB 604, pages 1098, 1513, 1733, 1733, 1774, Act no. 85-591

County commission, authorized to establish certain ad valorem taxes on certain motor vehicles, CA—

HB 861, pages 1099, 1512, 1729, 1730, 1776, Act no. 85-520

County commission, expense allowance provided further—

HB 1006, pages 1103, 1507, 1728, 1728, 1771, Act no. 85-609

Troy, boundaries altered—

HB 85, pages 119, 147, 1170, 1732, 1733, 1774, Act no. 85-590

Troy-Pike county lake authority established, composition, powers duties—

HB 1013, pages 1092, 1507, 1729, 1729, 1771, Act no. 85-610

Twelfth judicial circuit, supplemental salary to circuit judges and district attorneys—

SB 249, page 64

RANDOLPH COUNTY

County commission, authorized to reimburse probate judge for errors—

HB 1067, pages 1432, 1507, 1711, 1712, 1749, Act no. 85-627

County unit system of road maintenance set, referendum provided—

HB 165, pages 141, 175, 430, 451, 667, 673, Act no. 85-343

RANDOLPH COUNTY (Continued)

Fifth judicial circuit, expense allowance for judges—

HB 1041, pages 1362, 1508, 1686, 1686, 1744, Act no. 85-534

Judge of probate, placed on salary basis, CA—

HB 168, pages 121, 211, 430, 1708, 1709, 1747, Act no. 85-522

Revenue commissioner established, offices of tax collector and tax assessor abolished, referendum—

HB 166, pages 136, 872, 977, 1116, 1122, 1135, 1366, Act no. 85-466

Sheriff authorized to keep prisoners' food allowance—

HB 696, pages 501, 876, 977, 1709, 1709, 1748, Act no. 85-616

RUSSELL COUNTY

Constables abolished, CA—

HB 541, page 273

Dixie youth baseball, tax exemption provided—

SB 71, page 17

Motor vehicle license department established, duties, supervision—

HB 537, pages 274, 466, 571, 623, 667, 673, Act no. 85-345

Pistol permit fee, distribution provided—

HB 960, pages 1106, 1509, 1688, 1689, 1740, Act no. 85-569

Sales and use tax levied in certain areas of the county, distribution provided—

HB 539, pages 272, 548, 682, 786, 812, 846, Act no. 85-387

Sales tax levied, distribution of proceeds provided—

HB 540, pages 272, 548, 682, 786, 812, 847, Act no. 85-386

Twenty-sixth judicial circuit, circuit court, orders filed for record regulated—

HB 538, pages 272, 466, 571, 623, 668, 674, Act no. 85-344

SHELBY COUNTY

Alcoholic beverage, licensees regulated—

SB 506, pages 313, 465, 741, 785, 809, 1171, 1235, 1247, Act no. 85-463

Annexation procedure for municipalities located outside the county prohibited without referendum approval—

HB 839, page 954

Chemical substances application by aircraft permitted under certain conditions—

SB 697, pages 863, 965, 1277

Insurance provided for retired county employees, retroactive effect—

HB 694, pages 503, 878, 1721, 1722, 1770, Act no. 85-601

Medical center, sale prohibited without referendum approval—

HB 687, pages 503, 878, 1722, 1723, 1771, Act no. 85-606

Planning commission, election by beats provided—

SB 607, pages 557, 677, 741, 783, 815, 1171, 1235, 1247, Act no. 85-465

ST. CLAIR COUNTY

Constables, abolished—

HB 782, pages 695, 874, 1820, 1859, Act no. 85-712

License issuing division, established in probate judge's office, duties—

HB 716, pages 504, 876, 969, 1117, 1123, 1172, 1234, Act no. 85-435

Margaret, corporate limits altered—

HB 717, pages 505, 877, 969, 1117, 1125, 1136, Act no. 85-468

Probate judge, to be county commission chairman, referendum—

HB 574, pages 485, 872, 1113, 1723, 1723, 1771, Act no. 85-605

Title documents, indexing and recording provided—

HB 955, pages 1093, 1509, 1721, 1721, 1773, Act no. 85-588

SUMTER COUNTY

Board of registrars, meeting days in certain counties altered—

SB 615, pages 558, 722, 800, 938

Constables, compensation, court costs increased—

HB 754, pages 696, 877, 977, 1118, 1126, 1136, Act no. 85-471

Hazardous and nonhazardous wastes, storage fee levied, north Sumter county development authority established—

SB 656, pages 712, 797, 912, 973, 987

Redistricting commission, created to establish lines for county commission and board of education, election provided—

SB 633, pages 615, 677, 719, 782, 817, 1090, 1132, 1247, Act no. 85-488

TALLADEGA COUNTY

County revenue commission, county commission given authority to to set salary—

HB 1042, pages 1409, 1512, 1749, 1750, 1788, Act no. 85-540

Health department, authorized to charge fees for certain services—

HB 729, pages 488, 877, 1693, 1693, 1771, Act no. 85-611

Professional sporting events, taxed—

HB 990, page 1238

Sylacauga, corporate limits altered—

HB 671, pages 500, 727, 1697, 1697, 1770, Act no. 85-597

HB 972, pages 1241, 1508, 1696, 1696, 1770, Act no. 85-599

TALLAPOOSA COUNTY

Board of education, expense allowance provided—

HB 842, pages 697, 875, 1351, 1685, 1685, 1744, Act no. 85-530

Board of registrars, meeting days altered—

HB 412, pages 187, 212, 263, 1684, 1684, 1744, Act no. 85-527

Board of registrars, meeting days regulated, compensation—

HB 107, pages 140, 175, 218, 334, 441, 463, Act no. 85-274

TALLAPOOSA COUNTY (Continued)

Fifth judicial circuit, expense allowance for judges—

HB 1041, pages 1362, 1508, 1686, 1686, 1744, Act no. 85-534

Motor vehicles, license issuance consolidated in tax collector's office—

HB 843, pages 698, 875, 1351, 1685, 1686, 1744, Act no. 85-532

Selling and redeeming land for taxes, procedures altered—

HB 109, pages 140, 175, 218, 334, 441, 464, Act no. 85-273

TUSCALOOSA COUNTY

Board of registrars, meeting days increased—

HB 921, pages 1411, 1509, 1700, 1700, 1744, Act no. 85-533

Civil service board members, monthly salary changed—

HB 980, pages 1094, 1511, 1687, 1687, 1740, Act no. 85-570

Poll workers and officials, compensation provided further—

HB 670, pages 697, 798, 891, 937, 1001, 1075, Act no. 85-441

Sheriff, compensation altered—

HB 1005, pages 1101, 1507, 1688, 1688, 1740, Act no. 85-571

Sixth judicial circuit, circuit judges, compensation increased—

SB 649, pages 672, 728, 799, 944, 1000, 1077, 1891, 1919. 1958, Act no. 85-664

WALKER COUNTY

Alabama mining academy, established at Walker state technical college—

HB 854, pages 1415, 1759, 1767, 1886, 1901, 1918, Act no. 85-760

Bingo, authorized for certain nonprofit organization, CA—

HB 736, pages 705, 1514, 1725, 1725, 1776, Act no. 85-521

County commission, expense allowance provided—

HB 571, pages 485, 1513, 1727, 1727, 1771, Act no. 85-603

County commission, meeting requirements altered—

HB 570, pages 485, 1511, 1725, 1726, 1770, Act no. 85-602

County governing body, authorized to provide clerk-hire allowance to county offices and county officers—

HB 572, pages 485, 1511, 1726, 1727, 1771, Act no. 85-604

Fourteenth judicial circuit, expense allowance for circuit and district judges—

HB 903, pages 953, 1510, 1724, 1724, 1771, Act no. 85-607

Sheriff, additional expense allowance provided—

HB 573, page 485

State docks, conveyances to local port authorities in Cordova and Florence—

SB 27, pages 9, 402

HB 72, pages 198, 632, 1886, 1899, 1901, 1918, Act no. 85-646

Walker, Fayette, Colbert, Cullman, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Morgan, Winston counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

WASHINGTON COUNTY

Constable, office abolished—

HB 42, pages 140, 174, 262, 333, 440, 463, Act no. 85-276

WILCOX COUNTY

Ad valorem tax, additional levied, CA—

HB 777, pages 696, 797, 896, 975, 987, 1081, Act no. 85-410

Board of registrars, meeting days altered in certain counties—

SB 615, pages 558, 722, 800, 938

Redistricting commission, created to establish lines for county commission and board of education, election provided—

SB 636, pages 628, 678, 801, 887, 903, 1329, 1427, 1441, Act no. 85-523

WINSTON COUNTY

Tobacco, tax increased—

SB 643, pages 629, 728, 801, 885, 904, 1329, 1427, 1441, Act no. 85-640

HB 949, pages 1094, 1509, 1826, 1861, Act no. 85-728

Winston, Fayette, Colbert, Cullman, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Morgan, Walker counties, appropriation for ice and weather damage—

SB 373, pages 134, 233, 284, 363, 565, 571

HB 482, pages 307, 398, 571, 616, 764

RESOLUTIONS**1985 REGULAR SESSION****RESOLUTION, CONDOLENCE**

Andrews, mr. William Hampton, of Thomasville, death mourned—
SR 245, page 1648

Austin, mr. Henry Ellis, of Wetumpka, death mourned—
HJR 164, pages 479, 541, Act no. 85-293

Battle, miss Dorothy, of Phenix City, death mourned—
SR 129, page 457

Beale, dr. George L., of Ashland, death mourned—
SJR 39, pages 230, 252, 317, 342, Act no. 85-227

Busby, mrs. Edwina Rebecca F., of Mobile, death mourned—
HJR 249, pages 740, 805, Act no. 85-398

Callan, miss Ruth Inez, of Gadsden, death mourned—
HJR 150, pages 474, 540, Act no. 85-290

Christian, mrs. Everlean, of Mobile, death mourned—
HJR 414, page 1489

Cochran, mr. Eugene Russell, of Fort Payne, death mourned—
SR 122, pages 432, 1650

Covington, mr. Jesse Foy, of Dale county, death mourned—
SJR 71, pages 335, 418, 455, 538, Act no. 85-250

Crenshaw, mr. Jack, of Montgomery, death mourned—
HJR 238, pages 739, 805, Act no. 85-395

Downing, mr. Maurice A., of Mobile, death mourned—
HJR 257, pages 739, 806, Act no. 85-404

Eckles, miss Susan Michelle, of Muscle Shoals, death mourned—
SR 176, page 649

Edwards, mayor Jesse K., of Bessemer, death mourned—
HJR 39, pages 110, 154, Act no. 85-177

Floyd, mrs. N. C., of Demopolis, death mourned—
SR 244, page 1648

Goolsby, mr. Walter A., of Millbrook, death mourned—
HJR 177, pages 476, 541, Act no. 85-299

Gray, judge Sidney J., of Daphne, death mourned—
HJR 250, pages 740, 805, Act no. 85-399

Gresham, mr. Albert Ringo, of Millbrook, death mourned—
HJR 29, pages 114, 153, Act no. 85-169

Haynes, mrs. Vileta Anise Yeager, of Cullman, death mourned—
SR 154, page 599

Hutcheson, mr. Marlin McNeal, of Auburn, death mourned—
SR 196, page 741

RESOLUTION, CONDOLENCE (Continued)

- Johnston, mr. Thomas Alexander, III, of Mobile, death mourned—
HJR 239, pages 739, 805, Act no. 85-396
- Jones, mrs. Irene L., of Mobile, death mourned—
HJR 84, pages 256, 311, Act no. 85-195
- Kennedy, mrs. Thelma McMillan, of Mobile, death mourned—
HJR 302, pages 925, 931, Act no. 85-384
- Kitchen, mr. A. N., jr., of West Blocton, death mourned—
HJR 313, pages 952, 982, Act no. 85-451
- Lathan, mr. Delvin, of Theodore, death mourned—
SR 249, page 1650
- Loper, mr. Curtis Melvin, of Chatom, death mourned—
HJR 151, pages 474, 541, Act no. 85-291
- McGill, mr. William O., of Lanett, death mourned—
SR 193, page 734
- Moore, mr. Douglas J., of Marion, death mourned—
HJR 336, pages 1088, 1137, Act no. 85-475
- Pierce, mr. Ronnie Joe, of Union Springs, death mourned—
SJR 93, pages 376, 420, 456, 538, Act no. 85-264
SJR 114, pages 431, 1650, 1904, 1920, 1958, Act no. 85-667
- Pizitz, mr. Isadore, of Birmingham, death mourned—
SJR 201, pages 747, 1270, 1276, 1357, Act no. 85-502
- Purcell, mr. Charles Inge, of Mobile, death mourned—
HJR 323, pages 951, 982, Act no. 85-456
- Redden, mr. Lamar, of Montgomery, death mourned—
HJR 320, pages 951, 982, Act no. 85-453
- Sanford, judge Edwin, of Wetumpka, death mourned—
HJR 165, pages 480, 541, Act no. 85-294
- Schulte, corp. Julius Norman, of Mobile, death mourned—
HJR 335, pages 1088, 1136, Act no. 85-476
- Scott, mrs. Valtena Larkin, of Demopolis, death mourned—
SR 243, page 1648
- Tally, judge John B., of Scottsboro, death mourned—
SR 184, page 707
- Tucker, mr. Kyle, of Camp Hill, death mourned—
SR 169, page 631
- Walker, mrs. Jacqueline Burns, of Selma, death mourned—
SJR 77, pages 340, 419, 455, 538, Act no. 85-256
- Weeks, mr. Raymond, former member of house of representatives, of Birmingham, death mourned—
HJR 411, page 1491
- Wideman, mr. James Frank, of Lee county, death mourned—
SJR 110, pages 423, 602, 641, 670, Act no. 85-321

RESOLUTION, CONDOLENCE (Continued)

Williams, mr. David H., of Montgomery, death mourned—
HJR 75, pages 255, 311, Act no. 85-188

Yelling, mr. Alonzo, of Mobile, death mourned—
HJR 85, pages 257, 311, Act no. 85-196

RESOLUTION, CONGRATULATORY

Abbett, mr. Christopher G., of Dadeville, commended for his outstanding achievement—
HJR 269, pages 865, 914, Act no. 85-414

Advertiser-Gleam, the, commended for outstanding service to the Gunter-ville area—
HJR 18, pages 112, 154, Act no. 85-176

Alabama baptist state convention, commended on its annual legislative prayer luncheon—
HJR 99, pages 253, 312, Act no. 85-201

Alabama community, junior, and technical colleges commended on their 20th anniversary—
SR 133, page 458

Alexander, mr. Glen, commended on his retirement from south central bell—
SR 257, page 1687

Alexandria high school basketball team, commended on their outstanding season—
SR 67, page 322

Amari, sen. John and mrs., of Birmingham, commended on the birth of a daughter—
SR 203, page 763

Andrews, mrs. Lillian Pugh, of Jackson, Alabama, commended for generous support of Alabama's girls state—
SJR 100, pages 378, 420, 456, 538, Act no. 85-265

Armstrong, mr. G. L., of Jackson county, commended as district VICA advisor of the year—
SR 299, page 1855

Aronov, mr. Owen, of Montgomery, commended as president, of the Montgomery board of realtors—
HJR 125, pages 358, 364, Act no. 85-215

Ashburn, mr. James Cecil, of Huntsville, commended for outstanding community service—
SR 85, page 363

Ashford high school basketball team and coach Curt Barnes, commended on their outstanding 1985 season—
HJR 206, pages 559, 565, Act no. 85-278

Ashley, miss Alyssa, of Killen, commended as miss university of north Alabama—
SJR 101, pages 379, 420, 456, 538, Act no. 85-266

Athens state college basketball team, commended as southern states conference champions title—
HJR 140, pages 473, 540, Act no. 85-284

RESOLUTION, CONGRATULATORY (Continued)

Athens-Limestone hospital, ambulance emergency medical service team, commended as 1985 winning team of the regional advanced life support contest—

HJR 263, pages 741, 806, Act no. 85-407

Auburn university basketball team and coach Sonny Smith, commended as 1985 SEC tournament championship—

HJR 118, pages 360, 364, Act no. 85-209

Auburn university school of pharmacy, commended on its centennial observance—

HJR 229, pages 737, 805, Act no. 85-391

Auburn university student body, commended for hospitality—

SJR 166, pages 619, 781, 820, 860, Act no. 85-378

Auburn university, commended for its generations fund—

SJR 241, pages 1647, 1905, 1921, 1958, Act no. 85-676

HJR 344, page 1502

Auburn university, commended for restructuring administration to include emphasis on agriculture—

SR 23, page 130

Audubon, mr. John J., of Santo Domingo, commemorated on the occasion of the bicentennial of his birth—

HJR 213, pages 592, 941, 968, Act no. 85-437

Averbuch, mr. Jerome, of Huntsville, commended for achievement and community service—

SR 286, page 1843

Babers, mr. Alonzo, of Montgomery, commended for distinguished performance in the olympic games—

SR 265, page 1841

Bachus, Stuart, of Birmingham, commended on his reign as kindergarten prince—

HJR 175, pages 476, 541, Act no. 85-298

Bailey, mr. Glen Owen, of Auburn, commended for his outstanding achievements—

HJR 83, pages 256, 311, Act no. 85-194

Bank, sen. Bert, of Tuscaloosa, commended on receiving the bronze star medal from the United States air force—

SJR 190, pages 731, 782, 821, 860, Act no. 85-366

Barnes, Coach Curt and Ashford high school basketball team, commended on their outstanding 1985 season—

HJR 206, pages 559, 565, Act no. 85-278

Bartow, coach Gene, of university of Alabama, Birmingham, commended for outstanding achievement in field of basketball—

SJR 147, pages 532, 603, 642, 670, Act no. 85-331

Beck, Brian, Jon David Crow, Adam Reach, and Jason Willoughby, of Hueytown elementary school, commended for unselfish service to others—

SR 177, page 650

RESOLUTION, CONGRATULATORY (Continued)

- Bell, mrs. Sara E. Cook, of Montgomery, commended on her induction into the Millport sports hall of fame—
SR 117, page 432, 1651
- Bellew, miss Laura Ann, of Mobile, commended for outstanding achievement—
HJR 82, pages 256, 311, Act no. 85-193
- Bennett, mr. and mrs. Earl, of McKenzie, commended on their 50th wedding anniversary—
SJR 153, pages 597, 706, 718, 778, Act no. 85-354
- Bevill, U. S. cong. Tom, of Jasper, commended as a distinguished public servant—
SJR 231, pages 1157, 1904, 1920, 1958, Act no. 85-672
SR 301, page 1856
- Bevill, U. S. cong. Tom, of Jasper, honorary Marshall county citizenship bestowed—
HJR 365, pages 1499, 1884, 1915, Act no. 85-747
- Billingsley, mr. G. G., of Columbus, Mississippi, commended on his induction into the Millport sports hall of fame—
SR 118, pages 432, 1651
- Black, mr. Duncan T., of Opp, commended on receiving 1984-85 silver medal award of the Montgomery advertising federation—
SR 308, page 1952
- Blackmon, ms. Jean, ms. Beth Williams, and ms. Betty Ziri, of Montgomery, commended for outstanding achievement—
SR 304, page 1888
- Blalock, mr. Louie, of Cullman, commended on his induction into the Millport sports hall of fame—
SR 120, pages 432, 1651
- Blanding family, of Russell county, commended on its annual reunion—
SJR 210, pages 892, 1270, 1276, 1357, Act no. 85-506
- Blatnick, mr. Jeff, Schenectady, New York, commended for distinguished performance in the olympic games—
SR 283, page 1842
- Blount, mr. Winton M., of Montgomery, and governor George C. Wallace, commended—
HJR 104, pages 277, 312, Act no. 85-203
- Bolling, mr. Howard, of Fayette, commended as Alabama's parole and probation officer of the year—
HJR 105, pages 277, 312, Act no. 85-204
- Booker Heights development corporation, commended on the first annual observance of its founding—
SR 302, page 1863
- Bowers, rev. James M., of Bayou Wesleyan church, Bayou La Batre, commended for his ministry—
SR 103, page 385

RESOLUTION, CONGRATULATORY (Continued)

- Boyd, mrs. Elise, of Stevenson, commended as Jackson county citizen of the year—
SR 183, page 707
- Bozeman, mrs. Maggie S., commended on her courage and endurance during her 1979 conviction of voter fraud—
HJR 409, page 1492
- Bradley, mr. Karl W., of Sheffield, commended for outstanding community service—
SR 33, pages 180, 259
- Bragg, mr. Leonard, of Huntsville, commended for outstanding community service—
SR 150, pages 592, 1651
- Bridgeport high school basketball team, coaches A. W. "Woody" Hamilton, and Kenneth Storey, commended on their outstanding achievements during the 1984-85 season—
HJR 308, pages 952, 982, Act no. 85-448
- Bridges, dr. Tom, of Calhoun county, commended for dedicated service to the medical profession—
SJR 66, pages 321, 418, 455, 538, Act no. 85-247
- Brown, col. J. Lloyd, of Eight Mile, commended for his dedication and christian leadership—
HJR 162, pages 429, 450, Act no. 85-269
- Brown, mr. Lavern, of Auburn university, commended for outstanding service and contributions to the Alabama agricultural experiment station—
SR 98, page 378
- Burgess, coach Bill, of Oxford high school, commended on being named new head football coach at Jacksonville state university—
SR 53, page 285
- Burwell, mr. E. Dudley, of Huntsville, commended for outstanding community service—
SR 151, pages 592, 1651
- Business and professional women's clubs, Alabama federation of, commended on their outstanding service to the community—
SJR 18, pages 115, 127, 130, 159, Act no. 85-148
- Butler high school soccer team, commended as dixie conference champions for 1984-85—
HJR 16, pages 112, 153, Act no. 85-174
- Byrne, mr. and mrs. Walter Jackson, of Huntsville, commended on their 50th wedding anniversary—
HJR 50, pages 135, 151, Act no. 85-183
- Calhoun school, of Letohatchee, commended for outstanding achievement as state 1A basketball champions—
SJR 75, pages 339, 419, 455, 538, Act no. 85-254
- Callahan, miss Shawn, of Mobile, commended as Alabama's princess in the 73rd annual cherry blossom festival—
SR 256, page 1680

RESOLUTION, CONGRATULATORY (Continued)

Carpenter, mrs. Margaret A., of Montgomery, commended as Alabama's small business person of the year—

SJR 227, pages 1112, 1650, 1904, 1920, 1958, Act no. 85-670

SJR 228, pages 1114, 1271, 1277, 1357, Act no. 85-512

Carter, chief C. E., of Alabaster, commended on his retirement—

HJR 375, pages 1498, 1884, 1915, Act no. 85-748

Carter, mr. John Frank, of Sylacauga, commended as the outstanding secondary school principal of Alabama—

HJR 137, pages 359, 364, Act no. 85-219

Cedar Park-Edgewood schools, of Selma, commended on the enrichment class national honors in the "olympics of the mind" competition—

SJR 47, pages 258, 420, 454, 538, Act no. 85-243

HJR 79, pages 256, 311, Act no. 85-191

Clanton, Reita, of Opelika, commended for distinguished participation in the olympic games—

SR 279, page 1842

Cleland, mr. Joseph O., of Anniston, commended on his retirement from state soil conservation service—

SR 230, page 1115

Cockerham, mr. John M., of Huntsville, commended for service to his profession and his community—

SR 191, page 732

Colebeck, mr. Edward Laughton, of Florence, commended for his numerous contributions in civic and community affairs—

SR 156, page 600

Coltishall hall, staff of, and mr. and mrs. F. C. Gray, of Norwich, United Kingdom, commended for outstanding and exemplary service to members of the Alabama air national guard—

SR 175, page 649

Comer, mr. Donald, jr., of Talladega county, commended for significant contributions in the field of education—

SR 214, page 923

Conley, mrs. Fannie Thompson, of Montgomery, commended on her 95th birthday—

HJR 215, pages 668, 674, Act no. 85-346

Coumanis, mrs. Kathryn C., commended as first lady of Mobile, 1984—

HJR 32, pages 115, 153, Act no. 85-172

Crippled children service, Alabama, commended on its 50th anniversary—

SJR 205, pages 799, 1270, 1276, 1357, Act no. 85-503

Crow, mr. David A., of Huntsville, commended for outstanding service to the profession of architecture—

SR 131, page 457

Crow, Jon David, Brian Beck, Adam Reach and Jason Willoughby, of Hueytown elementary school, commended for unselfish service to others—

SR 177, page 650

RESOLUTION, CONGRATULATORY (Continued)

Davis, dr. Leon, of university of Montevallo, commended on his induction into the national association of inter-collegiate athletics hall of fame—

HJR 143, pages 474, 540, Act no. 85-286

Dean, mr. Leonard Yancey, III, of Eufaula, commended for his outstanding contributions to the community—

HJR 185, pages 451, 463, Act no. 85-270

Deep sea fishing rodeo, Alabama, commended as a sports event of national prominence—

HJR 293, pages 867, 916, Act no. 85-429

Deese, mr. Richard, of Auburn, commended on career with cooperative extension service—

SR 30, page 179

DeKalb county, vocational school VICA club, commended for outstanding accomplishment and community involvement—

SR 19, page 119

Delchamps, mr. Alfred F., jr., commended as "Mobilian of the year for 1984"—

HJR 160, pages 429, 1652, 1743, Act no. 85-564

Dendy, mr. Kelton, of Albertville, commended for outstanding achievement and community service—

HJR 223, pages 669, 674, Act no. 85-352

Douglas, rev. Carl T., of Birmingham, commended on his successful outreach ministry—

HJR 284, pages 868, 915, Act no. 85-425

Dueitt, mr. Malcolm D., of Citronelle, commended on his retirement from mobil oil corporation—

HJR 122, pages 358, 364, Act no. 85-212

Duke, mr. Marvin, of Wilcox county high school, commended as an outstanding athlete—

SJR 145, pages 471, 603, 641, 670, Act no. 85-330

Duke, mr. Oscar W., of Florence, commended as prominent Lauderdale county farmer and businessman—

SR 45, page 252

Dunbar, mrs. Sara Lee, of Troy, commended as 1984 outstanding woman of the year—

SJR 112, pages 427, 602, 641, 670, Act no. 85-323

Dunn, mrs. C. K., of Salem, commended as recipient of Lee county's 1984 leadership award—

SR 135, page 464

East, mr. Larry Robert, of Lafayette, commended for outstanding contributions to field of education—

SJR 181, pages 672, 782, 821, 860, Act no. 85-371

Eden, mr. Tom, of Montgomery, commended on his outstanding community service—

HJR 278, pages 867, 915, Act no. 85-422

RESOLUTION, CONGRATULATORY (Continued)

- Education par excellence program, of Anniston, commended—
SJR 188, pages 720, 782, 821, 860, Act no. 85-367
- Educational excellence, Alabama foundation for, commended for the objectives of the foundation—
HJR 209, pages 560, 565, Act no. 85-279
- Elliott, U. S. rep. Carl, commended for distinguished service to the state of Alabama—
SJR 295, pages 1853, 1905, 1921, 1958, Act no. 85-679
- Ellis, ms. Zora, of Talladega, commended for her outstanding community service—
SJR 240, pages 1646, 1905, 1921, 1958, Act no. 85-675
- Eppes, mr. Joseph M., of Livingston, commended for his leadership in the African relief fund drive—
HJR 358, page 1503
- Erwin high school academic booster club and mrs. Dot Sims, commended for their academic excellence—
HJR 316, pages 952, 982, Act no. 85-452
- Esslinger, ms. Margaret L., of Huntsville, commended for outstanding community service—
SR 290, page 1843
- Etowah high school basketball team, commended on outstanding season—
HJR 112, pages 276, 313, Act no. 85-207
- Etowah high school varsity cheerleaders, commended as number one team in the nation—
HJR 199, pages 473, 542, Act no. 85-308
- Evans, mr. John W., of Huntsville, commended for service to legal profession and community—
SR 288, page 1843
- Farmers home administration, commended on its 50th anniversary—
SJR 178, pages 651, 781, 820, 860, Act no. 85-373
- Feld, mr. Ignatz Louis, of Tuscaloosa, commended on his retirement from the United States bureau of mines—
SJR 42, pages 250, 418, 454, 538, Act no. 85-240
- Fick, dr. Bessie Davey, of Auburn university, commended on her distinguished career—
SR 109, page 423
- Floyd junior high school cheerleaders, commended for third place finish in national cheerleading association competition—
SR 148, page 561
- Footte, mr. Wilson H., of Florence, commended for outstanding contributions to the community—
SR 192, page 732
- Ford, miss Bessie, of Montgomery, commended for distinguished service as a member of the capitol press corps—
SJR 73, pages 337, 418, 455, 538, Act no. 85-252

RESOLUTION, CONGRATULATORY (Continued)

- Foreman, mr. Tom, of Montgomery, commended for his outstanding professional achievement in television broadcasting—
HJR 380, page 1496
- Foster, mrs. Annie Lee, of Auburn, commended on her 95th birthday—
SR 212, page 894
- Freeman, mr. Clinton L., of Millport, commended on his induction into the Millport sports hall of fame—
SR 124, pages 433, 1651
- Fuller, rep. Bill, of Lafayette, and miss Sonia Letetia Pool, of Arab, commended on their forthcoming marriage—
HJR 347, page 1502
- Gaines, mr. Rowdy, of Auburn university, commended for his participation in the 1984 olympic games—
SR 280, page 1842
- Galbraith, dr. Ruth, dean of the Auburn university school of home economics, commended on her retirement—
SJR 200, pages 746, 1270, 1276, 1357, Act no. 85-501
- Gambril, coach Donald C., of university of Alabama, commended on his distinguished participation in the 1984 olympic games—
SR 268, page 1841
- Garrison, mrs. Nola H., of Fayette, commended as merit mother of the year—
SR 121, pages 432, 1651
- Garvin, mr. J. P., jr., of Albertville, commended for his outstanding contribution to the Alabama poultry industry—
HJR 145, pages 474, 540, Act no. 85-287
- Gateway industries, of Selma, commended for outstanding support to the handicapped citizens of Alabama—
SJR 48, pages 258, 420, 454, 538, Act no. 85-244
HJR 80, pages 256, 311, Act no. 85-192
- Gilbert, trooper E. J. "Buster", of Talladega, commended on retirement from department of public safety—
SJR 207, pages 839, 1270, 1276, 1357, Act no. 85-504
- Gilliam, dr. Paula, of Huntsville, commended for outstanding personal achievement—
SR 106, page 395
- Girl Scouts, commended on 73rd anniversary of its founding—
SJR 46, pages 257, 419, 454, 538, Act no. 85-242
SR 55, page 305
- Givens, mrs. Anne, of Vinegar Bend, commended as president of general federation of women's clubs, Alabama—
SJR 12, pages 104, 126, 130, 159, Act no. 85-151
- Glance, mr. Harvey, commended for participation in the 1984 olympic games—
SR 277, page 1842

RESOLUTION, CONGRATULATORY (Continued)

- Goggans, mrs. Mallette, of Auburn, commended for outstanding contributions to Auburn university—
SR 197, page 741
- Goode, mrs. Rhoda, of Ohatchee, commended on her 100th birthday—
HJR 11, pages 113, 152, Act no. 85-159
- Goodrich, mr. Henry C., of Birmingham, commended as prominent Alabama business executive and community leader—
SR 296, page 1854
- Gravlee, mr. Vondal S., commended on induction into housing hall of fame—
SR 261, page 1782
- Gray, mr. Elzie, of Ashbury, commended for his distinguished service to and support of united rubber workers—
HJR 148, pages 474, 540, Act no. 85-289
- Gray, mr. and mrs. F. C., and staff of Coltishall Hall, of Norfolk, United Kingdom, commended for outstanding and exemplary service to members of the Alabama air national guard—
SR 175, page 649
- Griffiths, mr. Steve, of Auburn university, commended for participation in the 1984 olympic games—
SR 278, page 1842
- Grist YMCA basketball team, commended for state championship—
SJR 162, pages 606, 781, 820, 860, Act no. 85-381
HJR 218, pages 669, 674, Act no. 85-348
- Guthans, mr. Robert A., of Mobile, commended upon his election as president of the Mobile chamber of commerce—
HJR 142, pages 474, 540, Act no. 85-285
- Hagler, mr. and mrs. Clyde, of Kinsey community, commended on their 60th wedding anniversary—
HJR 130, pages 359, 365, Act no. 85-222
- Halpin, mrs. Myra J., of Fyffe, commended as NASA finalist for teacher in space program—
HJR 373, page 1497
- Hamilton, coaches A. W. "Woody", Kenneth Storey, and the Bridgeport high school basketball team, commended on their outstanding achievement during the 1984-85 season—
HJR 308, pages 952, 982, Act no. 85-448
- Hanks, coach Mike, of university of south Alabama, commended for participant in 1984 olympic games—
SR 269, page 1841
- Harbuck, coach Ned, commended on his retirement as basketball coach at Jackson high school—
SJR 126, pages 442, 602, 641, 670, Act no. 85-324
- Hardy, coach James, of Lanett, commended for distinguished career with Lanett city school system—
SR 134, page 464

RESOLUTION, CONGRATULATORY (Continued)

Harper, mr. Wallace, of Tillman's Corner, commended as 1985 citizen of the year by chamber of commerce—

HJR 73, pages 255, 311, Act no. 85-187

Harris, mr. John C., jr., of Florence, commended for outstanding community service—

SR 141, page 469

Harris, dr. Leroy F., of Huntsville, commended for outstanding contributions to the medical profession—

SR 251, page 1650

Hartley, miss Galata, of Duval county, Florida, commended for outstanding achievement and notable contributions to the teaching profession—

HJR 28, pages 114, 153, Act no. 85-168

Hartselle high school lady tigers basketball team, commended on their championship performances—

HJR 321, pages 951, 982, Act no. 85-454

Harwood, lt. Harvey David, commended on retirement from Alabama department of public safety—

SR 81, page 355

Hatch, mr. John E., of Huntsville, commended for outstanding community achievement—

SR 107, page 395

Hawkins, ms. Eulene, of Troy state university, commended in recognition of her lifetime service in social work to the state of Alabama and nation—

HJR 340, pages 1500, 1884, 1915, Act no. 85-744

Haynes, mr. and mrs. U. G., of Boaz, commended on their 60th wedding anniversary—

HJR 146, pages 474, 540, Act no. 85-288

Hendrix, mrs. Betty Dunn, of Mobile, commended as prominent Alabama banker and community leader—

HJR 31, pages 115, 153, Act no. 85-171

Henig furs, incorporated, of Montgomery, commended for the outstanding success of its operation—

HJR 128, pages 359, 364, Act no. 85-218

Herlihy, dr. Charles, of Huntsville, commended for outstanding service to the impaired physician program—

SJR 82, pages 355, 420, 455, 538, Act no. 85-257

Hester, mr. Walston, of Franklin county, commended for outstanding service to the state of Alabama—

HJR 240, pages 740, 805, Act no. 85-397

Hewitt-Trussville junior high school wrestling team, commended for outstanding accomplishments—

HJR 351, page 1502

Higgins, miss Marguerite, of Auburn university, commended for participation in 1984 olympic games—

SR 271, page 1841

RESOLUTION, CONGRATULATORY (Continued)

- Hill, prof. A. J., professor, Auburn university, commended for his outstanding contributions to education and community—
SR 242, page 1648
- Hinton, mrs. Marjorie, of Auburn, commended for distinguished career with Auburn university—
SR 96, page 377
- Hinton, mr. Wilbur, of Auburn, commended for distinguished career in music at Auburn university—
SR 97, page 378
- Homan, mrs. Charlotte T., of Florence, commended for outstanding achievement and community service—
SR 140, page 469
- Homewood high school forensic team, commended for achievement—
HJR 254, pages 741, 806, Act no. 85-403
- Horn, dr. Louis G., of Huntsville, commended for outstanding professional achievement—
SR 285, page 1843
- Hornsby, maj. gen. William A., commended on receipt of meritorious service medal for outstanding achievement—
HJR 34, pages 115, 153, Act no. 85-173
- Irons, mr. John J., jr., of Mobile, commended on his distinguished educational career—
HJR 156, pages 479, 541, Act no. 85-292
- J. O. Johnson high school girls basketball team, of Huntsville, commended on their outstanding 1984-85 record—
HJR 306, pages 952, 981, Act no. 85-446
- J. O. Johnson high school football team, of Huntsville, commended on their outstanding winning season—
HJR 305, pages 952, 981, Act no. 85-445
- Jackson county technical school students, commended for outstanding accomplishment—
SR 300, page 1855
- Jackson, mr. Bobby Joe, of Headland high school, commended for outstanding accomplishment—
HJR 253, pages 740, 805, Act no. 85-402
- Jacksonville state university basketball team, commended on winning the NCAA division II national championship—
SJR 89, pages 374, 420, 456, 538, Act no. 85-261
HJR 217, pages 669, 674, Act no. 85-347
- Jacksonville state university rifle team, commended for outstanding accomplishment—
HJR 322, pages 951, 982, Act no. 85-455
- Jacksonville state university women's gymnastics team, commended for outstanding accomplishment—
HJR 230, pages 737, 805, Act no. 85-392

RESOLUTION, CONGRATULATORY (Continued)

- Jemison high school band, commended on its selection in the 1985 cherry blossom festival parade—
HJR 277, pages 866, 915, Act no. 85-421
- Jewell, Mrs. Wanda, of Huntsville, commended as olympic bronze medalist—
SR 270, page 1841
HJR 17, pages 112, 153, Act no. 85-175
- Johansson, Per, of Auburn university, commended for participation in the 1984 olympic games—
SR 273, page 1842
- Johnson, Rep. Roy, of Tuscaloosa, commended as legislator of the year—
SJR 4, pages 32, 50, 78, 95, Act no. 85-144
HJR 5, pages 113, 152, Act no. 85-157
- Jones, coach Bill, of Jacksonville state university, commended as national basketball coach of the year—
HJR 231, pages 737, 805, Act no. 85-393
- Jones, Mr. and Mrs. Perry, of Valley, commended on the birth of a daughter—
SR 94, page 377
- Jones, Mr. Warren Phelps, of Huntsville, commended for outstanding achievement and community service—
SR 10, pages 78, 137
- Killian, Mr. Al, of Auburn university, commended for distinguished service to Auburn university—
SR 99, page 378
- Killian, Miss Margaret, of Montgomery, commended as recipient of the soroptimist foundation international youth citizenship award—
HJR 381, page 1496
- King, Miss Brandy, of Carlisle elementary school, commended for outstanding achievement—
HJR 342, page 1500
- King, Mrs. Brenda I., of Montgomery, commended on winning the flashtype typing competition, sponsored by muscular dystrophy association—
SJR 172, pages 645, 781, 820, 860, Act no. 85-374
- King, Mr. Emmit, of Bessemer, commended for participation in 1984 olympic games—
SR 281, page 1842
- Kinterbish junior high school FFA and Mr. John Walker, commended for outstanding participation in the African relief fund drive—
HJR 412, page 1491
- L. M. Berry and company, commended on its 75th anniversary—
SR 284, page 1842
- Lal, Dr. R. B., of Alabama A&M, commended on his outstanding accomplishments—
HJR 307, pages 952, 981, Act no. 85-447

RESOLUTION, CONGRATULATORY (Continued)

Lamar county high school football team, commended as class 3A state championship—
HJR 389, page 1496

Lamar Democrat, the, commended for exemplary service to the community—
HJR 272, pages 865, 915, Act no. 85-417

Lamar Leader, the, commended for exemplary service to the community—
HJR 271, pages 865, 915, Act no. 85-416

Lambert, mr. and mrs. Huey M., of Andalusia, commended on their 35th wedding anniversary—
HJR 205, pages 559, 565, Act no. 85-277

Lampton, mr. Leslie B., of Jackson, Mississippi, commended on his tremendous contributions to the state of Alabama—
HJR 276, pages 865, 915, Act no. 85-420

Landrum, mr. C. E., of Huntsville, commended on retirement—
SR 287, page 1843

Landry, mr. and mrs. Sidney Paul, commended on their 50th wedding anniversary—
SR 36, page 219

Langley, mr. Jimmy, of Cleburne county, commended as an outstanding emergency medical technician—
HJR 221, pages 669, 674, Act no. 85-350

Lavender, officer Robert Raymond, of Daphne, commended for dauntless heroism—
HJR 26, pages 114, 152, Act no. 85-166

Lawley, col. (retired) William R., jr., and Amy, of Montgomery, commended on their 42nd wedding anniversary—
SJR 158, pages 600, 706, 718, 778, Act no. 85-356

Leatherwood, ms. Lillie, of university of Alabama, commended on participating in the 1984 olympic games—
SR 266, page 1841

Lee, mr. James Coleman, jr., of Birmingham, commended for outstanding community contributions—
SR 291, page 1843

Levie, mr. Hoyt, of Albertville, commended for outstanding support of the boy scouts program—
HJR 281, pages 867, 915, Act no. 85-423

Lightcap, dr. Clement A., of Mobile, commended as distinguished physician—
SR 185, page 717

Link, dr. James D., of Florence, commended for outstanding professional achievement and community involvement—
SR 9, pages 78, 137

Litchfield high school basketball team, commended for their outstanding season—
HJR 111, pages 276, 313, Act no. 85-206

RESOLUTION, CONGRATULATORY (Continued)

Livengood, mr. Ronald, of Scottsboro, commended for outstanding achievement—

HJR 95, pages 253, 312, Act no. 85-199

Lovelace, mr. Edward F., of Florence, commended for outstanding community service—

SR 15, page 108

Lucas, mrs. Helen, of Fort Payne, commended for distinguished nursing career—

SR 20, page 119

MacMillan, prof. James B., of university of Alabama, commended for exceptionally distinguished service to this great institution—

SJR 72, pages 335, 418, 455, 538, Act no. 85-251

Mahone, mr. and mrs. Eddie, of Tuskegee, commended on their 50th wedding anniversary—

HJR 115, pages 320, 361, Act no. 85-224

Mallisham, mr. Joseph, of Tuscaloosa county, commended on his outstanding contributions to the community—

HJR 383, page 1496

Marino, maestro Amerigo, commended for outstanding achievement as music director and conductor of Alabama symphony orchestra—

SJR 163, pages 607, 781, 820, 860, Act no. 85-380

Martin, mr. and mrs. Archie, of Geraldine, commended on their golden wedding anniversary—

HJR 173, pages 476, 541, Act no. 85-296

Mason, ms. Glenys S., commended as prominent Mobile county educator—

SR 247, page 1649

Mathis, mr. John, commended on his induction into the Millport sports hall of fame—

SR 125, pages 433, 1652

Mattei, mr. James E., of Mobile, commended for outstanding community contributions—

SR 139, page 469

HJR 386, page 1496

McAdams, mr. Belton, of Reform, commended on his induction into the Millport sports hall of fame—

SR 116, pages 432, 1651

McClure, mr. Terry Wayne, of Scottsboro, commended for being selected as the "outstanding technical technical student of the state of Alabama for 1985—

HJR 309, pages 952, 982, Act no. 85-449

McGill-Toolen high school soccer team, commended on the junior varsity's 1985 soccer championship—

HJR 121, pages 358, 364, Act no. 85-211

McLain, mr. John Hamilton, IV, of Huntsville, commended for outstanding service to the engineering profession and to the community—

SR 59, page 320

RESOLUTION, CONGRATULATORY (Continued)

- McLemore, mr. Harold, and mr. Bud Skinner, of Montgomery, commended on the outstanding success of jubilee restaurant—
HJR 127, pages 359, 364, Act no. 85-217
- McNab, rev. Max, of Dothan, commended on his retirement—
HJR 262, pages 737, 806, Act no. 85-406
- Meadowview Christian school football team, Selma, commended on their 1984 state 3-A football championship of the Alabama private school association—
SJR 105, pages 394, 602, 641, 670, Act no. 85-320
HJR 135, pages 359, 365, Act no. 85-221
- Messer, mr. Glenn E., of Birmingham, commended on his numerous aviatational achievements—
HJR 361, pages 1498, 1884, 1915, Act no. 85-746
- Miley, mr. Oben Bryan, of Lauderdale county, commended for outstanding community service to the quad-city area—
SR 173, page 645
- Miller, coach Wallace, of Tuscaloosa, commended on his outstanding coaching career—
HJR 312, pages 952, 982, Act no. 85-450
- Millport high school football team, commended on winning the 1984 class 2A state championship—
HJR 390, page 1496
- Mims, mr. Henry Sanders, of Madison county, commended for contributions to legal profession—
SR 292, page 1843
- Mitchell, Colleen, of Birmingham, commended as Alabama's 1985 epilepsy poster child—
HJR 191, pages 472, 542, Act no. 85-303
- Mitchell, coach Terry, of Rainsville, commended on his outstanding career record as a high school basketball coach—
HJR 78, pages 256, 311, Act no. 85-190
- Mobile county high school, commended as winners of the Mobile regional science fair—
HJR 202, pages 473, 542, Act no. 85-309
- Monroe, mr. Herman Eugene, of Madison county, commended for contribution to the Huntsville-Madison county community—
SR 130, page 457
- Moore, mrs. Isabell T., of Montgomery, commended as Alabama's woman in business advocate of the year—
SJR 225, page 1111
SJR 229, pages 1115, 1271, 1277, 1357, Act no. 85-513
- Moore, mrs. Jenny, of Coldwater elementary school, commended upon her induction into the Jacksonville state university teacher hall of fame—
SR 216, page 949
HJR 297, pages 866, 916, Act no. 85-431

RESOLUTION, CONGRATULATORY (Continued)

- Moran, mr. Dan, of Huntsville, commended for outstanding community service—
SR 58, page 319
- Moseley, mr. and mrs. Louia Lomax, of Moody, commended on their 50th wedding anniversary—
HJR 197, pages 472, 542, Act no. 85-306
- Mowa-Choctaw Indian youth council, of Washington county, commended for title IV Indian education all youth pow-wow—
SR 56, page 305
- Mullins, mr. Charles H., of Florence, commended as prominent businessman and civic leader—
SR 199, page 745
- Muscat, miss Susan, of Mobile, commended for outstanding achievement—
HJR 12, pages 113, 152, Act no. 85-160
- Nathan, mr. Tink, of McLean, Virginia, commended for contributing to outdoor sports industry in Alabama—
SR 62, page 321
- National peanut festival and Alabama's peanut industry, commended—
SJR 215, pages 929, 949, 1131, 1247, Act no. 85-484
HJR 330, pages 942, 968, Act no. 85-436
- Nicrosi, miss Michel, of Montgomery, commended for outstanding achievement—
SR 146, page 479
- Norfleet, mr. William "Charlie", of Uniontown, commended for his outstanding performance in basketball—
SJR 170, pages 643, 781, 820, 860, Act no. 85-376
- Nurses association, Alabama, commended, May 6, 1985, designated as nurses recognition day—
HJR 291, pages 867, 916, Act no. 85-428
- Nurses, professional, of Alabama and America commended—
SJR 132, pages 457, 602, 641, 670, Act no. 85-326
- Oden, former sen. Emmett, honored posthumously for having prominent influence in steering the legislation creating Alabama's first public junior college at Phil Campbell—
SR 255, page 1678
- Overbeek, mr. James H., of Huntsville, commended for outstanding service to profession of architecture and to the community—
SR 84, page 362
- Page, mr. Lewis Wendell, of Scottsboro, commended for outstanding service to the community—
HJR 123, pages 358, 364, Act no. 85-213
- Page, mr. and mrs. Buford, commended on their 50th wedding anniversary—
SR 61, page 321

RESOLUTION, CONGRATULATORY (Continued)

- Parsons, sen. Mac, of Hueytown, commended for his creative brand of conservatism—
SR 40, page 239
- Patton, mr. Leander R., of A&M university, commended on his retirement—
HJR 283, pages 867, 915, Act no. 85-424
- Peanut festival, Alabama, and national peanut festival, commended—
SJR 215, pages 929, 949, 1131, 1247, Act no. 85-484
HJR 330, pages 942, 968, Act no. 85-436
- Peary, mrs. Joe, of Mobile, commended for outstanding contribution as an Alabama educator—
HJR 13, pages 113, 152, Act no. 85-161
- Pentecostal assemblies of the world, international, board of bishops, commended and welcomed to Alabama—
SJR 70, pages 330, 418, 455, 538, Act no. 85-249
- Pepper, U.S. cong. Claude, native son of Alabama, commended for outstanding service to his state and nation—
SJR 13, pages 105, 127, 131, 159, Act no. 85-150
- Perritt, mr. H. Marion, of Florence, commended for outstanding community service—
SR 44, page 252
- Person, mr. Chuck, of Brantley, commended for participation in the 1984 olympic games—
SR 274, page 1842
- Phillips high school girls' basketball team, of Bear Creek, commended on the girls state 1A championship—
SR 113, pages 431, 1651
HJR 189, pages 472, 542, Act no. 85-302
- Pilgreen, lt. Willard M., of Montgomery, commended as Montgomery law enforcement officer of year—
SJR 29, pages 171, 252, 317, 342, Act no. 85-225
- Pinson valley high school, commended on its spectacular 1984 football season—
HJR 100, pages 254, 312, Act no. 85-202
- Pleasant grove high school varsity and junior varsity cheerleaders, commended on accomplishments—
HJR 40, pages 111, 154, Act no. 85-178
- Pool, miss Sonia Letetia, of Arab, and rep. Bill Fuller, of Lafayette, commended on their forthcoming marriage—
HJR 347, page 1502
- Postero, mr. Leonard A., commended as a nationally renowned radio and sports personality—
HJR 339, page 1499
- Powell, mr. and mrs. Dorsey J., commended on their 60th wedding anniversary—
HJR 193, pages 472, 542, Act no. 85-304

RESOLUTION, CONGRATULATORY (Continued)

Prince, mr. and mrs. O. G., of Hartselle, commended on 60th wedding anniversary—
SR 78, page 350

Pritchett, mrs. Charlotte, of Dixon Mills, commended on her 119th birthday—
SR 41, page 250

Putnam, mr. Curley, of Paint Rock Valley, commended for his outstanding contributions to country music—
HJR 378, page 1497

Quality micro systems, incorporated, of Mobile, commended for being a leader in the field of high technology—
HJR 384, page 1496

Rains, mr. and mrs. Robert Emory, of Albertville, commended on their 64th wedding anniversary—
HJR 406, page 1492

Rains, rep. Euclid, of Albertville, commended as alumnus of the year award of Snead state junior college—
HJR 91, pages 254, 312, Act no. 85-198

Rayburn, mr. William Wrightman, district attorney of Gadsden, commended for his outstanding service to his community and state—
HJR 407, page 1492

Reach, Adam, Brian Beck, Jon David Crow, and Jason Willoughby, commended for unselfish service to others—
SR 177, page 650

Reed, mr. Anthony, of Calhoun school, commended for outstanding achievement as a scholar-athlete—
SJR 76, pages 339, 419, 455, 538, Act no. 85-255

Reeltown high school football team, commended for 1984 outstanding season—
SR 28, page 150

Reeltown high school marching band, commended on its outstanding 1984 season—
SR 305, page 1888

Retton, miss Mary Lou, commended for her distinguished participation in 1984 olympic game—
SR 282, page 1842

Rhinehart, mr. Geoffrey R., of Huntsville, commended for outstanding professional achievement—
SR 250, page 1650

Richey, mr. and mrs. Marion C., commended on their 52nd wedding anniversary—
HJR 174, pages 476, 541, Act no. 85-297

Ritch, mr. Ernest W., of Huntsville, commended for outstanding community service—
SR 289, page 1843

RESOLUTION, CONGRATULATORY (Continued)

Rivers, mr. G. B., of Calvert, commended for outstanding accomplishment—

HJR 15, pages 114, 152, Act no. 85-163

Robert C. Hatch high school basketball team, of Uniontown, commended as state 3A basketball champions—

SJR 144, pages 470, 603, 641, 670, Act no. 85-329

Roberts, miss Amy, of Pisgah high school, commended as a 1984 United States national award winner in science—

SR 138, page 469

Roberts, mr. David D., of Mobile, commended as president of the national association of realtors—

SR 253, page 1654

Roberts, mr. and mrs. James Hoyt, of Auburn, commended on their 50th wedding anniversary—

HJR 109, pages 276, 313, Act no. 85-205

Rogers, mr. Richard, of Marengo county's Aimwell community, commended as emergency medical technician of year—

SR 87, page 368

Roney, mrs. Marianne M., of Auburn, commended for outstanding professional achievement—

SR 80, page 350

Rosen, coach Mel, of Auburn university, commended for participation in the 1984 olympic games—

SR 275, page 1842

Rural electrification administration, commended on their 50th anniversary—

HJR 393, pages 1497, 1776, 1799, Act no. 85-536

Russell, mr. Floyd Edward, of Birmingham, commended for his many contributions to the state—

SR 155, page 600

St. Clair county sheriff and law enforcement officers, and comm. Freddie V. Smith, of the state department of corrections, commended for extraordinary performance of duty at St. Clair correctional facility—

HJR 265, pages 742, 806, Act no. 85-408

St. Jude high school basketball team, of Montgomery, commended for outstanding achievement as state 2A basketball champions—

SJR 74, pages 338, 419, 455, 538, Act no. 85-253

St. Margaret's Catholic school, of Bayou La Batre, commended for educational excellence—

SR 5, page 33

Sanderson, mr. Roy, of Guntersville, commended as conservation officer of the year—

HJR 219, pages 669, 674, Act no. 85-349

Saturn corporation, new division of general motors, appreciation expressed concerning consideration of Alabama location—

SJR 43, pages 251, 418, 454, 538, Act no. 85-241

RESOLUTION, CONGRATULATORY (Continued)

Scharfenberg, mr. Steve, of Troy, commended as 1984 outstanding man of the year—
SJR 111, pages 426, 602, 641, 670, Act no. 85-322

Schaum, mr. Bill, of Montgomery, commended for outstanding professional achievement—
HJR 367, page 1499

Scruggs, mr. William C., jr., of Mobile, commended for outstanding achievement—
HJR 14, pages 113, 152, Act no. 85-162

Seebeck, mrs. Faye, of Mobile, commended as outstanding teacher of the year—
SR 252, page 1654

Sellers, mrs. Dorothy Ranier, of Opp, commended for extraordinary achievement—
SR 164, page 612

Shannon, dr. Harper, of Huffman Baptist Church, of Birmingham, commended for his many contributions to the church, city, state and nation—
SR 31, page 179
HJR 45, pages 111, 154, Act no. 85-181

Shelton, mr. J. Willard, of Florence, commended for extraordinary accomplishment—
SR 34, pages 180, 259

Sides, dr. Joseph P., of Florence, commended for outstanding community service—
SR 152, pages 592, 1650

Sims, mrs. Dot, and Erwin high school academic booster club, commended for their academic excellence—
HJR 316, pages 952, 982, Act no. 85-452

Simmons, mrs. Nola, of Scottsboro, commended on her 80th birthday—
SR 63, page 321

Skelton, mr. Bobby, former tide quarterback, commended on being selected as NFL official—
SJR 161, pages 605, 781, 820, 860, Act no. 85-382

Skinner, mr. Bud, and mr. Harold McLemore, of Montgomery, commended on outstanding success of jubilee restaurant—
HJR 127, pages 359, 364, Act no. 85-217

Sloan, mr. and mrs. William Pryor, of Mobile, commended on their 50th wedding anniversary—
HJR 27, pages 114, 153, Act no. 85-167

Smith, mr. Calvin, commended for his participation in the 1984 olympic games—
SR 267, page 1841

Smith, mrs. Elizabeth Gooden, of Perry county, commended on her 101st birthday—
HJR 270, pages 865, 915, Act no. 85-415

RESOLUTION, CONGRATULATORY (Continued)

- Smith, mr. Freddie V., commissioner of state corrections department, commended for extraordinary performance of duty at St. Clair correctional facility—
SJR 187, pages 719, 782, 821, 860, Act no. 85-368
- Smith, mr. Freddie V., commissioner of state corrections department, St. Clair sheriff, and law enforcement officers, commended for outstanding performance of duty at St. Clair correctional facility—
HJR 265, pages 742, 806, Act no. 85-408
- Smith, dr. George C., of Lineville, commended as 40th president of the Alabama cattlemen's association—
SJR 50, pages 263, 1650, 1904, 1920, 1958, Act no. 85-668
SR 95, page 377
- Smith, mr. and mrs. Milford H., of Attalla, commended on their 50th wedding anniversary—
HJR 222, pages 669, 674, Act no. 85-351
- Smith, mrs. Omelda, of Chickasaw, commended for outstanding community service—
HJR 46, pages 111, 154, Act no. 85-182
- Smith, mr. Riley, of Mobile, commended on induction to the college football hall of fame—
HJR 43, pages 111, 154, Act no. 85-180
- Smith, coach Sonny, and Auburn University basketball team, commended on their 1985 SEC tournament championship—
HJR 118, pages 360, 364, Act no. 85-209
- Smith, mr. William K., of Chickasaw, commended for outstanding community service—
HJR 30, pages 115, 153, Act no. 85-170
- Smith, mr. Willie, commended for distinguished performance in the 1984 olympic games—
SR 272, page 1842
- Soil conservation service, commended on 50th anniversary—
SJR 209, pages 891, 1270, 1276, 1357, Act no. 85-505
- Southside high school basketball team, of Selma, commended as state 5A champions—
SJR 88, pages 372, 420, 456, 538, Act no. 85-260
SJR 143, pages 470, 603, 641, 670, Act no. 85-328
HJR 136, pages 359, 364, Act no. 85-220
- Spearman, mr. Dwight, of Muscle Shoals, commended for outstanding community service—
SR 174, page 645
- Starke, mrs. Mary B., of Russell county, commended for her dedication and service to the teaching profession—
SR 258, page 1690
- Stevens, Mr. Rodney, of Selma, commended on being named most valuable player and high scorer of Southside high school—
SJR 171, pages 644, 781, 820, 860, Act no. 85-375

RESOLUTION, CONGRATULATORY (Continued)

- Stokes, rev. and mrs. Alfred J., of Mobile, commended on their 50th wedding anniversary—
HJR 120, pages 358, 364, Act no. 85-210
- Storey, coaches Kenneth and A. W. "Woody" Hamilton, and the Bridgeport high school basketball team, commended on their outstanding achievements 1984-85 season—
HJR 308, pages 952, 982, Act no. 85-448
- Strickland, miss Diana Lynn, of Sylvania, commended for outstanding achievement—
SR 60, page 320
- Sullins, mr. Charles A., of Huntsville, commended for service to the legal profession—
SR 232, page 1257
SR 293, page 1843
- Sylvania high school math team, of Dekalb county, commended for outstanding achievement—
SR 137, page 469
- Teague, sen. John, of Childersburg, commended as legislator of the year—
SJR 3, pages 32, 50, 78, 95, Act no. 85-145
HJR 6, pages 113, 152, Act no. 85-158
- Thomas, mr. J. Miles, of Opelika, commended for outstanding professional achievement—
HJR 76, pages 255, 311, Act no. 85-189
- Thomas, mr. Maxie, of Tuscaloosa, commended for outstanding community service—
HJR 374, page 1497
- Thompson, mr. R. Wayne, of Dadeville, commended for outstanding service to the Alabama cooperative extension service—
SJR 194, pages 735, 1269, 1276, 1357, Act no. 85-500
- Thornton, mr. James, of the quad-city area, commended for outstanding service to the community—
SR 218, page 977
- Thornton, mr. and mrs. Hollis C., of Phenix City, commended on their 50th wedding anniversary—
SJR 65, pages 321, 418, 454, 538, Act no. 85-246
- Times Record, the, of Fayette, commended for outstanding service to the community—
HJR 274, pages 865, 915, Act no. 85-419
- Trinity Presbyterian school baseball team, of Montgomery, commended as state's 1A baseball championship—
SR 294, page 1847
- Troutman, ms. Mary J., of Mobile, commended as school nurse of the year—
SR 248, page 1650
- Tuskegee Institute high school basketball team, commended as state 6A basketball champions for 1984-1985—
SJR 159, pages 601, 706, 718, 778, Act no. 85-357

RESOLUTION, CONGRATULATORY (Continued)

- Tuttle, mr. John, of Auburn university, commended for participation in the 1984 olympic games—
SR 276, page 1842
- Tyrrell, mr. Thomas M., of Mobile, commended outstanding professional achievement and community service—
HJR 251, pages 740, 805, Act no. 85-400
- University of Alabama-Huntsville ice hockey team, commended for their numerous and extraordinary accomplishments—
HJR 286, pages 868, 915, Act no. 85-427
- University of Alabama-Huntsville soccer team, commended on its outstanding season and national ranking—
HJR 285, pages 868, 915, Act no. 85-426
- University of Alabama-Huntsville women's basketball team, commended for its fine season—
HJR 295, pages 867, 916, Act no. 85-430
- University of north Alabama basketball fans, commended—
HJR 25, pages 114, 152, Act no. 85-165
- University of south Alabama, athletic program, commended—
HJR 81, pages 866, 1652, 1743, Act no. 85-560
- Varnon, sheriff Richard, of Vernon, commended on his induction into the Millport sports hall of fame—
SR 119, pages 432, 1651
- Vaughan, mr. Bill, of Midfield, commended as "paramedic of the year"—
HJR 413, pages 1491, 1884, 1915, Act no. 85-749
- Vaughn, mrs. Mary Frances, of Montgomery, commended for distinguished service with the Alabama public service commission—
HJR 86, pages 257, 312, Act no. 85-197
- Veitch, mr. Robert, commended for outstanding service as executive director to the Alabama sports hall of fame—
SJR 211, pages 893, 1270, 1276, 1357, Act no. 85-507
- Vines, ms. Pam, of Chambers county, commended for outstanding achievement at Auburn university—
SR 37, page 220
- Volunteerism, governor's conference on, gov. George C. Wallace commended for his establishment of—
HJR 166, pages 480, 541, Act no. 85-295
- Walker, mr. John, and members of Kinterbish junior high school FFA, commended for outstanding participation in the African relief fund drive—
HJR 412, page 1491
- Wallace, gov. George C., commended on the appointment of mr. Winton M. Blount, of Montgomery, to Alabama trust fund board of trustees—
HJR 104, pages 277, 312, Act no. 85-203
- Wallace, gov. George C., commended for his establishment of Alabama governor's conference on volunteerism—
HJR 166, pages 480, 541, Act no. 85-295

RESOLUTION, CONGRATULATORY (Continued)

- Walton, mr. Sam, of Bentonville, Arkansas, commended for his dedication to buy "American"—
HJR 261, pages 736, 806, Act no. 85-405
- Ward, mr. Thomas Nelson, of Florence, commended for outstanding community service—
SR 198, page 744
- Welford, mr. and mrs. Carl, of Citronelle, commended on their 50th wedding anniversary—
HJR 42, pages 111, 154, Act no. 85-179
- West Alabama Gazette, commended for outstanding service to the community—
HJR 273, pages 865, 915, Act no. 85-418
- White, mrs. Mamie, of Bay Minette, commended as "citizen of the year"—
HJR 161, pages 429, 450, Act no. 85-268
- Wielicki, mr. Anthony F., of Athens, commended for outstanding community service—
SR 14, page 108
- Wilcox county high school basketball team, commended as state 4A basketball champions—
SJR 142, pages 469, 603, 641, 670, Act no. 85-327
- Wilder, mr. George, of Montgomery, commended on the outstanding success of the locker room—
HJR 126, pages 359, 364, Act no. 85-216
- Wilder, mrs. Julia P., commended for her courage and endurance—
HJR 408, page 1492
- Williams, coach Steve, of Headland high school, commended for his outstanding basketball program—
HJR 252, pages 740, 805, Act no. 85-401
- Williams, mr. Bryant F., of Ozark, commended for outstanding community service—
HJR 24, pages 114, 152, Act no. 85-164
- Williams, ms. Beth, ms. Jean Blackmon, and ms. Betty Ziri, commended for outstanding achievement—
SR 304, page 1888
- Willoughby, Jason, Brian Beck, Jon David Crow, and Adam Reach, of Hueytown commended for unselfish service to others—
SR 177, page 650
- Wilson, mr. Ham, of Montgomery, commended as alumnus of the year of Upsilon chapter of Pi Kappa Alpha fraternity—
SR 195, page 735
- Wilson, mr. James A., of Andalusia, commended as prominent educator and 1984 citizen of the year—
SR 79, page 350
- Winters, mrs. Dora, of Bryant, commended for outstanding community service—
HJR 124, pages 358, 364, Act no. 85-214

RESOLUTION, CONGRATULATORY (Continued)

WLWI radio station, of Montgomery, commended as national country music radio station of the year—
SJR 239, pages 1646, 1905, 1920, 1958, Act no. 85-673

Women's clubs-Alabama, general federation of, commended for its outstanding contributions to the state and nation—
SR 11, page 104
HJR 38, pages 116, 138, 167, Act no. 85-154

Woolfolk, ms. Odessa, of Birmingham, commended as Birmingham career woman of the year—
SJR 26, pages 139, 158, 167, 201, Act no. 85-147

WZZK-FM, "Patty and the Doc Show", commended for outstanding contributions to Birmingham—
SJR 90, pages 375, 420, 456, 538, Act no. 85-262

Ziri, ms. Betty, ms. Jean Blackmon, and ms. Beth Williams, of Montgomery commended for outstanding achievement—
SR 304, page 1888

Zorn, miss Rhonda, of Montgomery, commended as homecoming queen of Auburn university at Montgomery—
HJR 129, pages 359, 365, Act no. 85-223

RESOLUTION, DESIGNATION

Alabama institute for deaf and blind highway, portion of Highway 21 named—
SJR 69, pages 329, 418, 455, 538, Act no. 85-248

Alabama poultry week, June 2-8, 1985, designated—
SJR 263, pages 1830, 1905, 1921, 1958, Act no. 85-678

American history month, designated, February, 1985, and each February thereafter—
SJR 7, pages 57, 108, 130, 159, Act no. 85-152

Buris R. Boshell diabetes research and education hospital, Birmingham, named—
SJR 213, pages 912, 1270, 1276, 1357, Act no. 85-508

Butterfly day, designated April 16, 1985, and each April 16 thereafter—
SJR 92, pages 376, 420, 456, 538, Act no. 85-263

Carl Elliott day, designated, as May 14, 1985—
SR 260, page 1776

Claiborne-Murphy bridge in Monroe county, on highway 84, named—
HJR 416, page 1489

Esther Benson week, of Citronelle, designated—
HJR 194, pages 472, 542, Act no. 85-305

George C. Wallace energy and mineral resources wing of the Walter B. Jones building at the university of Alabama, named—
SJR 57, pages 319, 418, 454, 538, Act no. 85-245

Gordon Terry parkway, portion of Alabama highway 24, named—
HJR 108, pages 276, 1653, 1743, Act no. 85-563

RESOLUTION, DESIGNATION (Continued)

- Herman L. Brewington armory, in Moulton, named—
HJR 92, pages 253, 1653, 1743, Act no. 85-561
- James R. Chasteen student center, at John C. Calhoun state community college, named—
HJR 357, pages 1503, 1884, 1915, Act no. 85-745
- Jeff Sorrell highway, portion of Alabama highway 223, named—
HJR 94, pages 253, 1653, 1743, Act no. 85-562
- National mental health counselors week, May 5-11, 1985, designated—
HJR 182, pages 473, 542, Act no. 85-300
- Pat Arrington building, at Ranburne nutrition center, named—
SJR 182, pages 673, 782, 821, 860, Act no. 85-370
- Paul E. Shoffeitt laboratories at the Alabama department of forensic sciences, named—
HJR 356, page 1503
- Pleasant Grove high school cheerleaders day, April 4, 1985, designated—
HJR 139, pages 447, 450, Act no. 85-267
- Point Mallard highway, portion of Alabama highway 20, named—
HJR 52, pages 165, 259, 311, Act no. 85-186
- Rutland, mr. Goodloe, designated "chairman emeritus" of board of directors, Birmingham-Jefferson civic center authority—
SJR 238, pages 1645, 1905, 1920, 1958, Act no. 85-674
- Safe boating week, June 2-8, 1985, designated—
HJR 364, page 1498
- Spinal cord injury awareness week, designated, May 12-18, 1985—
SJR 186, pages 718, 782, 821, 860, Act no. 85-369
- Tammy Little drive, portion of highway 35, named—
SJR 123, pages 432, 1652, 1904, 1920, 1958, Act no. 85-669

RESOLUTION, LEGISLATIVE

- Adjournment—
SJR 52, page 284
HJR 4, pages 33, 50, Act no. 85-141
HJR 36, pages 118, 284
HJR 117, page 320
- Alabama trust fund, legislature's position regarding, reaffirmed—
SJR 259, page 1703
- Alcoholic beverages, sale of, territorial bill, legislative intent expressed—
SJR 35, pages 216, 252, 317, 342, Act no. 85-226
- Apartheid system in South Africa, condemned—
SJR 165, pages 616, 781, 820, 860, Act no. 85-377
- Banks and depositories, legislative confidence expressed regarding safety and security in—
HJR 141, page 474
- Cancer, tests for early detection urged—
SJR 17, pages 110, 127, 130, 159, Act no. 85-149

RESOLUTION, LEGISLATIVE (Continued)

- Child abuse and neglect task force, reporting date extended—
SJR 157, pages 600, 706, 718, 778, Act no. 85-355
- Childrens' week, national, legislature urged to observe October 6-12, 1985—
SJR 86, pages 366, 420, 456, 538, Act no. 85-259
- Conrail, HJR 171, regular session 1985, rescinded—
HJR 184, page 478
- Conrail, legislative opposition expressed regarding sale of, to Norfolk southern—
HJR 171, page 476
- Education, state board of, support expressed—
SR 189, page 721
- FCC, petitioned regarding telephone exchange boundaries and/or calling plans in Russell county—
SR 298, page 1855
- Farm programs, Alabama legislative congressional advisory committee, established on—
SJR 102, pages 380, 417, 421, 479, 543, 594, Act no. 85-280
HJR 170, page 475
- Fire ant control, Alabama congressional delegation memorialized regarding—
HJR 72, pages 255, 1653, 1742, Act no. 85-559
- Forestry study committee, life of, extended—
HJR 345, pages 1502, 1745, 1775, Act no. 85-612
- Governor, committee created to notify that legislature is in session—
SJR 1, pages 4, 42
HJR 2, pages 41, 56, Act no. 85-142
- Governor, convening of the joint session to hear address of—
SJR 2, pages 4, 42
HJR 3, pages 41, 56, Act no. 85-143
- Jackson county, computer study committee, established—
SJR 220, pages 1013, 1270, 1277, 1357, Act no. 85-510
- Job corps center, support for continued funding expressed—
HJR 207, pages 536, 1653, 1743, Act no. 85-565
- Joint interim committee to set up southern regional education board's annual conference in 1986—
HJR 47, pages 1088, 1136, Act no. 85-477
- Joint interim committee to study budget isolation and appropriation process, created—
SJR 54, page 285
- Joint interim committee to study county government, continued—
SJR 8, pages 57, 850, 959, 1077, Act no. 85-458
- Joint interim committee to study county health services, established—
SJR 83, pages 356, 419, 455, 538, Act no. 85-258

RESOLUTION, LEGISLATIVE (Continued)

- Joint interim committee to study impact of imported automobile tires on manufacturers in Alabama, established—
HJR 9, page 1499
- Joint interim committee to study infant mortality rate, established—
SJR 223, page 1109
- Joint interim committee to study military retirement, rights of ex-spouse, established—
SJR 167, pages 623, 1654
- Joint interim committee to study municipal government, established—
HJR 397, pages 1492, 1654, 1654, 1743, Act no. 85-566
- Joint interim committee to study legislative operations, research and services, established—
SJR 222, pages 1108, 1653
- Joint interim committee on finance and taxation budgets, reporting date extended—
HJR 66, pages 158, 168, Act no. 85-156
- Joint select committee to study welfare, established—
HJR 355, page 1503
- Legislators to observe Alabama national guard in Panama—
SJR 51, page 277
- Legislative parking committee, additional meeting days authorized—
SJR 127, pages 452, 602, 641, 670, Act no. 85-325
- Legislature, joint session for school of fine arts performance—
HJR 198, pages 478, 542, Act no. 85-307
- Legislature, meeting days—
SJR 52, page 284
HJR 4, pages 33, 50, Act no. 85-141
HJR 36, pages 118, 284
HJR 117, page 320
- Press facilities in senate chamber, meeting called to discuss—
SR 91, page 375
- Printing of acts and journals—
SJR 22, pages 130, 158, 166, 201, Act no. 85-146
- Prisoners of war, benefits, U. S. congress memorialized—
SJR 179, pages 652, 781, 820, 860, Act no. 85-379
- Reagan, pres. Ronald, memorialized regarding proposed visit to a German military cemetery—
SJR 204, pages 799, 941
- Reagan, pres. Ronald, and U. S. congress, memorialized regarding free mailing service for the blind and visually impaired—
HJR 366, page 1499
- Reagan, pres. Ronald, U. S. congress and secretary of agriculture, memorialized regarding exemption of food aid programs from cargo preference act—
HJR 371, page 1498

RESOLUTION, LEGISLATIVE (Continued)

Revenue department, certificate of title continuance of recorded legends rule, repealed—

SJR 6, pages 54, 108, 130, 159, Act no. 85-184

Special Order—

SR 27, page 139

SR 32, page 179

SR 38, page 221

SR 49, page 261

SR 68, page 322

SR 108, page 416

SR 128, page 453

SR 149, page 564

SR 160, pages 602, 602, 603, 624, 625, 650

SR 202, page 749

SR 206, page 803

SR 208, page 888

SR 221, page 1014

SR 235, page 1356

SR 237, page 1537

SR 254, page 1667

SR 262, page 1808

SR 264, page 1837

SR 303, page 1885

SR 307, pages 1921, 1922, 1923, 1925, 1926

Smith lake, state agencies requested to investigate regarding mining pollution—

SJR 25, page 138

Social security taxes, Congress petitioned to relieve the states from the burden of collecting from political subdivisions—

HJR 41, pages 111, 138, 167, Act no. 85-155

Supreme court opinion requested on H.B. 166, regarding Randolph county—

SJR 236, page 1366

Supreme court opinion requested on S.B. 177, regarding Gulf Shores—

SR 24, pages 136, 620

Supreme court opinion requested on S.B. 622, regarding Baldwin County—

SR 217, page 956

SR 234, page 1322

Supreme court opinion requested on S.B. 638, regarding Africatown, in city of Prichard—

SR 226, page 1112

Telephone rates and services, universal, legislature's support of, expressed—

SJR 246, pages 1648, 1905, 1921, 1958, Act no. 85-677

Telephone sets, state urged to purchase American-made, and serviced by American workers, for new state house—

SJR 180, pages 654, 781, 821, 860, Act no. 85-372

Textiles, Alabama legislative congressional advisory committee established—

SJR 136, page 464

HJR 188, pages 477, 542, Act no. 85-301

RESOLUTION, LEGISLATIVE (Continued)

- U. S. congress and Alabama congressional delegation, memorialized regarding tax simplification plan pertaining to timber industry—
SJR 306, pages 1894, 1905, 1921, 1958, Act no. 85-680
HJR 395, page 1494
- U. S. congress and president, memorialized regarding emergency agriculture production and mobilization for food relief for Africa—
SR 168, page 631
- U. S. congress memorialized regarding funding of Amtrak in fiscal year 1986—
SJR 21, pages 127, 138
- U.S. congress memorialized regarding incineration of hazardous wastes and the boxer legislation—
HJR 337, page 1500
- U. S. congress memorialized regarding social security legislation—
HJR 96, page 254
- U. S. postal service, memorialized regarding closing of rural post offices—
HJR 303, pages 950, 981, Act no. 85-444
- Unemployment data requested by legislature from department of industrial relations—
SJR 16, page 109
- Walsh, mr. John, invited to address joint session of legislature—
HJR 53, pages 166, 196, Act no. 85-153
- Work incentive program, U. S. congress petitioned to retain—
HJR 98, pages 254, 421, 425, Act no. 85-232
- Youth services department, urged to call meeting of said departments of the southern states regarding emotionally disturbed juveniles—
SJR 224, pages 1110, 1270, 1277, 1357, Act no. 85-511

RESOLUTION, MISCELLANEOUS

- Autauga county, county commission, clarification of duties and compensation—
HJR 35, page 116
- Bedsole, sen. Ann, of Mobile, wished speedy recovery—
SR 104, page 387
- Folsom, former gov. James E., wished speedy recovery—
SJR 219, pages 1002, 1270, 1277, 1357, Act no. 85-509
- Gulf Shores, name changed to city of Gulf Shores—
HJR 234, pages 736, 805, Act no. 85-394
- Highway department and public safety department, urged to investigate dangerous traffic conditions on Highway 67 in Priceville—
HJR 71, pages 255, 571, 596, Act no. 85-311
- Ingram, mr. Bob, facts and information—
HJR 20, page 117
- Madison county, commission urged to meet at night—
SJR 233, pages 1284, 1904, 1920, 1958, Act no. 85-671

RESOLUTION, MISCELLANEOUS (Continued)

Seibels, rep. George G., jr., of Birmingham, wished speedy recovery—
HJR 214, pages 738, 805, Act no. 85-390

Thomas, mr. Jimmy, of Columbus, Georgia, honored posthumously for
notable contributions to stock car racing—
SR 64, page 321

United States coast guard cutter, eagle, welcomed to Mobile—
SR 297, page 1854

Waldrop, mr. W. W., commended posthumously for his induction into
the Millport sports hall of fame—
SR 115, pages 432, 1651

Welcoming Selma visitors to Alabama—
HJR 113, page 275

REGULAR SESSION 1985
MISCELLANEOUS SENATE INDEX

AIR NATIONAL GUARD, ALABAMA

Appointment to rank of brigadier general—
Pages 84, 653

**ALABAMA AGRICULTURAL AND MECHANICAL UNIVERSITY,
BOARD OF TRUSTEES**

Appointment to—
Page 1151

ALABAMA COALITION AGAINST DOMESTIC VIOLENCE

Report filed—
Page 265

ALABAMA COMMISSION ON HIGHER EDUCATION

Appointments to—
Pages 593, 1137, 1652

ALABAMA EDUCATIONAL TELEVISION COMMISSION

Appointment to—
Page 1138

**ALABAMA INSTITUTE FOR THE DEAF AND BLIND, BOARD OF
TRUSTEES**

Appointments to—
Pages 1139, 1140, 1140, 1141

ALFORD, JERRY

Appointed to Tennessee valley authority exhibit commission—
Page 1153

APLIN, GERALD

Appointed to farmers market authority—
Page 1134

APPEALS FOR UNEMPLOYMENT COMPENSATION, BOARD

Appointment to—
Page 1152

ARCHIVES AND HISTORY, DEPARTMENT OF

Appointments to board of trustees—
Pages 33, 34

ARMSTRONG, WHIT

Appointed to banking board—
Page 82

ARRINGTON, RACHAEL

Appointed to board of trustees, Alabama institute for the deaf and
blind—
Page 1139

AUBURN UNIVERSITY, BOARD OF TRUSTEES

Appointments to—
Pages 83, 84, 170, 170

BANKING BOARD

Appointments to—
Pages 81, 82

BLOUNT, WINTON M.

Appointed to board of trustees, university of Alabama—
Page 36

BROMBERG, FRANK H., JR.

Appointed to board of trustees, university of Alabama—
Page 39

BRYANT, BOB

Appointed to crime victims compensation commission—
Page 1143

BURLESON, HON. TOM

Appointed to Tennessee valley authority exhibit commission—
Page 1162

CALENDAR

All senate bills remaining on, indefinitely postponed—
Page 1526

CLEMENTS, MRS. JIMMIE

Appointed to state textbook committee—
Page 1169

COMMITTEE OF THE WHOLE

Sen. deGraffenried, re: HB 151
Page 603

COMMITTEE REPORTS FILED

Alabama coalition against domestic violence—
Page 265

Coosa river navigation project, joint—
Page 1888

County government, joint—
Page 250

Finances and budgets, interim—
Page 215

Highway committee, joint—
Page 104

Juvenile justice committee, to study—
Page 178

COMMITTEE REPORTS FILED (Continued)

Legislative-judicial to study, develop plans, and make recommendations
for a new judicial building, joint—
Page 472

Legislative prison committee, joint—
Page 602

Municipal government, joint—
Pages 104, 561

Oil and gas study committee, joint—
Page 77

Retirement systems of Alabama, interim—
Page 214

Rising costs of medicaid, joint interim committee to study—
Page 97—

Sunset committee—
Page 199

Vocational education study committee, joint—
Page 158

CONFERENCE COMMITTEE REPORTS

SB 218—
Page 1884

HB 6—
Page 1911

HB 146—
Page 1883

HB 155—
Page 1754

HB 301—
Page 793

COOSA RIVER NAVIGATION PROJECT, JOINT

Report filed—
Page 1888

COUNTY GOVERNMENT, JOINT

Report filed—
Page 250

CREDIT UNION BOARD

Appointments to—
Pages 1146, 1147, 1148

CRIME VICTIMS COMPENSATION COMMISSION

Appointments to—
Pages 1142, 1143, 1144

CUNNINGHAM, EMORY

Appointed to board of trustees, Auburn university—
Pages 83, 170

CUNNINGHAM, MARGARET

Appointed to Tennessee valley authority exhibit commission—
Page 1153

ELLIOTT, COL. THOMAS R., JR.

Appointed to rank of brigadier general, Alabama air national guard—
Pages 85, 653

ESPY, KATIE

Appointed to Alabama commission on higher education—
Page 1137

ESTES, PEGGY C.

Appointed to board of trustees, Alabama institute for the deaf and
blind—
Page 1141

EXECUTIVE AMENDMENTS

SB 285—
Page 1881

SB 511—
Page 1800

HB 1056—
Page 1949

FARMERS MARKET AUTHORITY

Appointments to—
Pages 1133, 1134

FERGUSON, RALPH

Appointed to Tennessee valley authority exhibit commission—
Page 1162

FINANCES AND BUDGETS, INTERIM

Report filed—
Page 215

FOREIGN TRADE RELATIONS COMMISSION

Appointment to—
Page 1142

FOSTER, DR. JOHN E.

Appointed to board of trustees, university of south Alabama—
Page 1145

FOXWORTHY, JAMES C.

Appointed to appeals for unemployment compensation, board—
Page 1152

GOODWIN, HON. EARL

Appointed to farmers market authority—
Page 1133

GOVERNOR

Joint session—
Page 50

GOVERNOR'S APPOINTMENTS

Alabama agricultural and mechanical university, board of trustees—
Page 1151

Alabama air national guard, rank of brigadier general—
Pages 84, 653

Alabama commission on higher education—
Pages 593, 1137, 1652

Alabama educational television commission—
Page 1138

Alabama institute for the deaf and blind, board of trustees—
Pages 1139, 1140, 1140, 1141

Appeals for unemployment compensation, board—
Page 1152

Auburn university, board of trustees—
Pages 83, 84, 170, 170

Banking board—
Pages 81, 82

Credit union board—
Pages 1146, 1147, 1148

Crime victims compensation commission—
Pages 1142, 1143, 1144

Farmers market authority—
Pages 1133, 1134

Foreign trade relations commission—
Page 1142

Real estate commission, Alabama—
Pages 56, 57

State banking board—
Page 1133

State forestry commission—
Page 1135

State textbook committee—
Pages 1164, 1165, 1165, 1166, 1167, 1167, 1168, 1169, 1170

Surface mining reclamation commission—
Pages 1145, 1146

GOVERNOR'S APPOINTMENTS (Continued)

Tennessee valley authority exhibit commission—

Pages 1153, 1154, 1155, 1155, 1156, 1157, 1158, 1159, 1160, 1160,
1161, 1162, 1162, 1163

Tuskegee institute, board of commissioners—

Pages 1149, 1150, 1150

University of south Alabama, board of trustees

Page 1145

GOVERNOR'S VETO

SB 266—

Page 1850

GRAY, HERBERT

Appointed to board of trustees, Alabama agricultural and mechanical
university—

Page 1151

GRIFFIN, MICHAEL G.

Appointed to foreign trade relations commission—

Page 1142

GRIFFIN, RICHARD

Appointed to Tennessee valley authority exhibit commission—

Page 1155

GRIMSLEY, A. M., JR.

Appointed to banking board—

Page 82

HARDIN, TAYLOR

Appointed to board of commissioners, tuskegee institute—

Page 1149

HIGHWAY COMMITTEE, JOINT

Report filed—

Page 104

HILL, SAMUEL M.

Appointed to surface mining reclamation commission—

Page 1146

HOLLOWAY, BESSIE MAE

Appointed to board of trustees, Auburn university—

Pages 84, 170

HOUSE OF REPRESENTATIVES

Message from, ready for transaction of business—

Page 41

HUGHES, ROBERT

Appointed to state textbook committee—
Page 1168

HULLETT, SANDRAL

Appointed to board of trustees, university of Alabama—
Page 40

JOHNSON, JEWRETTE YOVONNE

Appointed to state banking board—
Page 1133

JOINT SESSION

Message from Governor—
Page 50

School of fine arts performance—
Page 540

To hear address of mr. John Walsh—
Page 373

JUDICIAL COMPENSATION COMMISSION

Report of—
Page 76

JUVENILE JUSTICE COMMITTEE, JOINT

Report filed—
Page 178

KENDALL, MRS. HENRY

Appointed to state textbook committee—
Page 1164

KING, EDGAR, JR.

Appointed to Tennessee valley authority exhibit commission—
Page 1154

KIRK, WILLIE, JR.

Appointed to board of commissioners, tuskegee institute—
Page 1150

LAMPLEY, JOE

Appointed to Tennessee valley authority exhibit commission—
Page 1163

LAYMAN, MAYNARD

Appointed to Tennessee valley authority exhibit commission—
Page 1158

LEDBETTER, DR. EDITH

Appointed to state textbook committee—
Page 1165

**LEGISLATIVE-JUDICIAL TO STUDY, DEVELOP PLANS, AND MAKE
RECOMMENDATIONS FOR A NEW JUDICIAL BUILDING, JOINT**

Report filed—
Page 472

LEGISLATURE

Joint session of, to hear address of mr. John Walsh—
Page 373

Joint session of, to hear address of the governor—
Page 50

Joint session, school of fine arts performance—
Page 540

LINDSEY, RICHARD J.

Appointed to Tennessee valley authority exhibit commission—
Page 1159

McBURNEY, GEORGE

Appointed to Tennessee valley authority exhibit commission—
Page 1161

McSWAIN, ROBERT

Appointed to credit union board—
Page 1147

MALONE, PRISCILLA

Appointed to state textbook committee—
Page 1167

MANDERSON, MARY

Appointed to Alabama real estate commission—
Pages 56, 57

MATHERSON, W. C.

Appointed to Tennessee valley authority exhibit commission—
Page 1155

MAULDIN, ED F.

Appointed to Tennessee valley authority exhibit commission—
Page 1160

MAULDIN, GENE S.

Appointed to credit union board—
Page 1147

MILLER, GREG

Appointed to state textbook committee—
Page 1170

MITCHELL, WILLIAM H.

Appointed to board of trustees, archives and history—
Page 34

MITCHELL, WILLIAM H.

Appointed to board of trustees, university of Alabama—
Page 38

MUNICIPAL GOVERNMENT, JOINT

Report filed—
Page 104

Report filed—
Page 561

NEIGHBORS, JAMES B.

Appointed to state forestry commission—
Page 1135

NOTICE IN WRITING

Sen. Covington, re: senate rule 21
Page 1468

O. H. DELCHAMPS, JR.

Appointed to board of trustees, university of Alabama—
Page 35

OLIVER, JOHN T.

Appointed to board of trustees, university of Alabama—
Page 38

OPINION RENDERED

Supreme court, re: SB 177
Page 682

Supreme court, re: SB 276
Pages 1401, 1403

PAGE, CARLUS P.

Appointed to Tennessee valley authority exhibit commission—
Page 1157

PITTS, GAYNELLE

Appointed to state textbook committee—
Page 1165

POINT OF ORDER

Sen. Bedsole, re: while she was speaking to her substitute for HB 544,
chair would not allow her to offer an amendment—
Page 1446

POINT OF PERSONAL PRIVILEGE

Sen. Bailey, re: vote on Smith (J) amendment to HB 544—
Page 1467

Sen. Sanders, re: vote on Ellis amendment no. 1 to HB 544—
Page 1469

Sen. Smith (J), re: sunset law—
Page 561

PRESIDENT AND PRESIDING OFFICER

Statement by, re: HB 708, recusing himself from presiding during consideration of—
Page 1902

PRISON COMMITTEE, LEGISLATIVE, JOINT

Report filed—
Page 602

RAST, THOMAS E.

Appointed to board of trustees, university of Alabama—
Page 40

REAL ESTATE COMMISSION, ALABAMA

Appointment to—
Pages 56, 57

REED, HON. THOMAS

Appointed to board of commissioners, tuskegee institute—
Page 1150

RETIREMENT SYSTEMS OF ALABAMA, INTERIM

Report filed—
Page 214

RISING COST OF MEDICAID, JOINT

Report filed—
Page 97

ROBINSON, MARSHALL

Appointed to state textbook committee—
Page 1167

SAMFORD, YETTA G., JR.

Appointed to board of trustees, university of Alabama—
Page 36

SCHOOL OF FINE ARTS PERFORMANCE

Joint session to attend performance—
Page 540

SENATE

Committee of the whole, re: HB 151—
Page 603

Governor's veto overridden, re: SB 266—
Page 1853

Point of order, sen. Bedsole, re: while she was speaking to her substitute for HB 544, chair would not allow her to offer an amendment—
Page 1446

SENATE (Continued)

Point of personal privilege, sen. Bailey, re: vote on Smith (J) amendment
to HB 544—
Page 1467

Point of personal privilege, sen. Sanders, re: vote on Ellis amendment
no. 1 to HB 544—
Page 1469

Point of personal privilege, sen. Smith (J), re: sunset law—
Page 561

SHEHANE, MIRIAM

Appointed to crime victims compensation commission—
Page 1144

SIMMONS, ROSCOE

Appointed to Tennessee valley authority exhibit commission—
Page 1156

SIMPSON, JAMES E.

Appointed to board of trustees, archives and history—
Page 33

SMITH, WILLIAM

Appointed to board of trustees, Alabama institute for the deaf and
blind—
Page 1140

STATE BANKING BOARD

Appointment to—
Page 1133

STATE FORESTRY COMMISSION

Appointment to—
Page 1135

STATE TEXTBOOK COMMITTEE

Appointments to—
Pages 1164, 1165, 1165, 1166, 1167, 1167, 1168, 1169, 1170

STEPHENS, JAMES D.

Appointed to credit union board—
Page 1148

SUMMERVILLE, SARAH

Appointed to Alabama educational television commission—
Page 1138

SUNSET COMMITTEE

Report filed—
Page 199

SUPERINTENDENT OF EDUCATION, STATE

Communication concerning election of members to board of trustees,
university of Alabama—
Pages 35, 36, 37, 38, 39, 40

SUPREME COURT

Opinion requested, re: HB 166—
Page 1366

Opinion requested, re: SB 177—
Pages 136, 620

Opinion requested, re: SB 622—
Page 956

Opinion requested, re: SB 622—
Page 1322

Opinion requested, re: SB 638—
Page 1112

SURFACE MINING RECLAMATION COMMISSION

Appointment to—
Page 1145

SUTTON, DR. JOSEPH T.

Appointed to Alabama commission on higher education—
Pages 593, 1652

TENNESSEE VALLEY AUTHORITY EXHIBIT COMMISSION

Appointments to—
Pages 1153, 1153, 1154, 1155, 1155, 1156, 1157, 1158, 1159, 1160,
1160, 1161, 1162, 1162, 1163

THOMAS, CLEOPHUS, JR.

Appointed to board of trustees, university of Alabama—
Page 37

TUSKEGEE INSTITUTE, BOARD OF COMMISSIONERS

Appointment to—
Pages 1149, 1150, 1150

UNIVERSITY OF ALABAMA

Appointment of members to board of trustees—
Pages 35, 36, 37, 38, 39, 40

UNIVERSITY OF SOUTH ALABAMA BOARD OF TRUSTEES

Appointment to—
Page 1145

VEACH, DOROTHY

Appointed to state textbook committee—
Page 1166

VOCATIONAL EDUCATION STUDY COMMITTEE, JOINT

Report filed—

Page 158

WALLACE, WILBY

Appointed to crime victims compensation commission—

Page 1143

WALSH, JOHN

Joint session to hear address of—

Page 373

WARD, ELIZABETH

Appointed to Tennessee valley authority exhibit commission—

Page 1160

WHITE, CLYDE P.

Appointed to surface mining reclamation commission—

Pages 1145, 1146

WILSON, CHARLES

Appointed to board of trustees, Alabama institute for the deaf and
blind—

Page 1140

WRIGHT, HARVEY J.

Appointed to board of trustees, archives and history—

Page 34

1985 REGULAR SESSION

SENATE SPONSOR INDEX

Aldridge: Bills: 14, 26, 27, 66, 108, 141, 142, 161, 169, 196, 214, 226, 235, 244, 322, 323, 324, 325, 327, 329, 331, 332, 334, 335, 339, 341, 351, 365, 373, 374, 376, 411, 435, 461, 471, 473, 498, 527, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 569, 573, 574, 577, 587, 595, 611, 616, 627, 629, 648, 693
Resolutions: 3, 40, 71, 78, 83, 104, 157, 165, 203, 204, 222, 259, 304

Amari: Bills: 9, 12, 26, 29, 30, 31, 66, 142, 161, 224, 233, 234, 236, 244, 278, 325, 329, 339, 343, 344, 393, 403, 412, 425, 435, 463, 503, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 587, 599, 616, 629, 645, 648, 693, 696, 700, 716
Resolutions: 3, 26, 31, 40, 71, 90, 104, 175, 238, 257, 284

Bailey: Bills: 26, 155, 158, 159, 169, 182, 183, 186, 188, 189, 196, 214, 217, 219, 224, 226, 228, 229, 230, 231, 232, 239, 253, 261, 266, 276, 288, 295, 296, 312, 325, 344, 351, 357, 358, 368, 393, 420, 471, 502, 509, 510, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 553, 554, 587, 588, 624, 629, 648, 700
Resolutions: 3, 40, 71, 83, 104, 136, 167, 203, 215

Barron: Bills: 8, 19, 33, 34, 214, 218, 224, 246, 248, 263, 264, 278, 288, 289, 312, 325, 329, 337, 339, 344, 345, 346, 351, 373, 401, 512, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 562, 563, 570, 575, 577, 613, 629, 648, 666, 672, 693, 700, 703, 716, 719
Resolutions: 3, 19, 20, 40, 60, 61, 62, 63, 71, 104, 122, 123, 136, 137, 138, 178, 183, 184, 203, 220, 233, 259, 261, 299, 300

Bedford: Bills: 7, 10, 13, 160, 167, 169, 171, 191, 196, 197, 204, 206, 207, 208, 209, 210, 212, 214, 217, 218, 221, 224, 226, 230, 244, 251, 252, 253, 254, 255, 258, 260, 266, 325, 329, 341, 344, 373, 375, 416, 435, 471, 554, 570, 587, 595, 611, 613, 616, 643, 648, 682, 683, 684, 685, 693, 695, 700, 716, 717, 718, 719
Resolutions: 3, 40, 71, 92, 104, 113, 115, 116, 117, 118, 119, 120, 121, 124, 125, 136, 203, 204, 255, 259

Bedsole: Bills: 11, 14, 26, 73, 76, 141, 142, 145, 154, 187, 191, 192, 196, 211, 212, 214, 218, 223, 224, 227, 241, 242, 243, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 267, 278, 293, 325, 329, 339, 340, 344, 345, 358, 367, 378, 379, 385, 420, 425, 471, 472, 482, 499, 517, 530, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 575, 589, 590, 591, 648, 673, 693, 698, 700
Resolutions: 3, 16, 18, 40, 46, 55, 71, 82, 83, 100, 132, 146, 203, 205, 226, 247, 248, 249, 252, 253, 256, 259, 297

Bennett: Bills: 9, 10, 14, 26, 41, 42, 43, 59, 63, 66, 87, 88, 89, 90, 112, 128, 137, 142, 143, 145, 195, 196, 207, 208, 210, 212, 214, 224, 235, 237, 282, 300, 320, 325, 329, 339, 344, 369, 375, 377, 380, 403, 412, 423, 425, 435, 463, 523, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 569, 571, 573, 595, 599, 610, 616, 629, 674, 693, 696, 700, 716
Resolutions: 3, 25, 26, 40, 71, 83, 89, 90, 104, 165, 201, 203, 238, 296

Bishop: Bills: 27, 87, 88, 89, 90, 91, 93, 108, 111, 154, 212, 221, 224, 226, 245, 280, 299, 341, 351, 368, 370, 373, 421, 425, 471, 487, 553, 572, 648, 671, 700, 716
Resolutions: 3, 40, 71, 83, 102, 104, 203

- Cabaniss: Bills: 26, 145, 154, 187, 196, 214, 223, 238, 242, 314, 325, 329, 339, 344, 345, 366, 368, 404, 423, 425, 455, 456, 457, 463, 471, 577, 579, 580, 599, 630, 648, 659, 674, 693, 696, 700
Resolutions: 3, 16, 26, 40, 43, 71, 90, 104, 165, 189, 201, 203, 238, 259, 296
- Cooley: Bills: 100, 101, 107, 108, 109, 111, 141, 154, 193, 214, 218, 244, 266, 312, 325, 329, 339, 351, 368, 370, 372, 373, 416, 434, 479, 487, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 568, 587, 614, 616, 629, 630, 640, 693, 700, 701, 716
Resolutions: 3, 25, 40, 71, 83, 102, 104, 154, 165, 180, 203, 219, 222, 233, 259
- Corbett: Bills: 14, 61, 71, 72, 73, 76, 87, 89, 90, 102, 103, 115, 136, 145, 149, 161, 167, 169, 171, 195, 196, 203, 209, 220, 223, 224, 230, 241, 251, 252, 253, 254, 255, 257, 258, 259, 260, 286, 325, 329, 339, 341, 344, 367, 368, 385, 425, 431, 435, 471, 482, 500, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 571, 595, 616, 629, 648, 699, 700, 716
Resolutions: 3, 16, 40, 64, 65, 71, 86, 93, 94, 104, 114, 129, 136, 159, 165, 187, 203, 204, 224, 246, 258, 298
- Covington: Bills: 26, 32, 35, 36, 73, 89, 91, 93, 108, 110, 113, 136, 144, 145, 154, 214, 224, 226, 245, 249, 325, 329, 333, 339, 375, 382, 383, 425, 471, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 558, 575, 588, 595, 611, 616, 629, 650, 688, 689, 700, 715, 716, 719
Resolutions: 3, 40, 73, 83, 102, 104, 111, 112, 136, 153, 159, 203, 239, 259
- deGraffenried: Bills: 14, 25, 26, 60, 118, 145, 154, 180, 181, 191, 214, 225, 235, 281, 312, 313, 318, 339, 362, 363, 364, 369, 381, 405, 425, 426, 429, 436, 437, 438, 463, 525, 554, 565, 578, 587, 616, 627, 629, 635, 649, 693, 716
Resolutions: 3, 4, 16, 40, 42, 52, 71, 72, 83, 104, 161, 190, 203, 259
- Denton: Bills: 17, 18, 26, 64, 121, 162, 164, 169, 175, 176, 184, 191, 194, 196, 212, 214, 224, 226, 233, 234, 236, 245, 325, 343, 344, 353, 373, 425, 441, 450, 467, 471, 494, 511, 516, 519, 552, 554, 570, 572, 587, 611, 616, 648, 680, 681, 693, 699, 700, 716
Resolutions: 3, 8, 23, 40, 71, 83, 91, 92, 101, 104, 127, 176, 187, 203, 259, 306
- Dial: Bills: 23, 24, 278, 288, 289, 325, 344, 345, 360, 375, 458, 459, 462, 471, 510, 517, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 551, 561, 570, 571, 572, 575, 629, 642, 648, 693, 700, 720
Resolutions: 3, 37, 39, 40, 50, 51, 69, 71, 83, 94, 95, 100, 104, 136, 178, 181, 182, 187, 189, 203, 209, 230, 236, 259
- Dixon: Bills: 33, 34, 45, 65, 73, 85, 86, 99, 105, 113, 115, 116, 136, 142, 145, 150, 154, 191, 194, 202, 212, 214, 223, 224, 226, 230, 238, 266, 275, 296, 306, 312, 325, 329, 339, 340, 344, 345, 385, 425, 550, 554, 574, 577, 630, 641, 645, 648, 657, 667, 693
Resolutions: 3, 7, 16, 17, 29, 40, 71, 82, 83, 104, 136, 146, 148, 203, 225, 227, 228, 229, 239, 259, 294, 308
- Drinkard: Bills: 14, 26, 107, 108, 145, 154, 161, 169, 191, 193, 194, 196, 202, 212, 218, 226, 234, 235, 236, 311, 325, 329, 339, 341, 344, 368, 414, 415, 435, 449, 464, 471, 477, 478, 489, 493, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 587, 616, 629, 648, 702, 708, 709, 710, 711, 716, 721
Resolutions: 3, 40, 54, 71, 83, 104, 203, 259

Ellis: Bills: 13, 15, 16, 20, 21, 22, 28, 90, 91, 93, 97, 145, 214, 223, 287, 325, 344, 349, 350, 389, 390, 393, 403, 425, 435, 463, 474, 506, 522, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 583, 607, 610, 617, 629, 630, 648, 697, 700

Resolutions: 3, 40, 71, 83, 104, 136, 165, 203, 259

Figures: Bills: 14, 26, 218, 224, 247, 262, 265, 269, 270, 271, 272, 304, 367, 368, 384, 500, 528, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 608, 609, 613, 616, 630, 638, 645, 648, 651, 653, 693, 716

Resolutions: 3, 40, 70, 71, 83, 104, 165, 203

Foshee: Bills: 4, 5, 6, 26, 32, 33, 34, 35, 36, 65, 66, 73, 77, 78, 108, 110, 111, 113, 115, 136, 145, 161, 169, 196, 203, 212, 213, 214, 218, 224, 226, 231, 232, 234, 245, 249, 250, 273, 307, 319, 328, 329, 339, 340, 343, 344, 361, 370, 371, 375, 392, 395, 396, 398, 399, 400, 425, 433, 440, 452, 453, 461, 465, 471, 481, 483, 485, 505, 509, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 570, 571, 581, 586, 611, 612, 613, 616, 627, 650, 668, 678, 685, 690, 691, 692, 693, 700, 704, 712, 716, 722

Resolutions: 3, 22, 40, 71, 73, 79, 83, 102, 104, 133, 136, 158, 164, 187, 196, 203, 207, 213, 239, 259

Goodwin: Bills: 73, 87, 88, 89, 90, 91, 92, 93, 95, 96, 97, 108, 111, 121, 126, 128, 136, 144, 154, 156, 157, 169, 191, 196, 197, 206, 207, 208, 209, 210, 214, 221, 224, 226, 233, 234, 236, 240, 245, 329, 339, 343, 344, 351, 393, 395, 396, 397, 398, 399, 400, 403, 424, 425, 439, 452, 463, 492, 505, 529, 531, 555, 556, 592, 597, 606, 629, 650, 693

Resolutions: 3, 40, 47, 48, 57, 71, 88, 92, 104, 105, 161, 162, 168, 203, 211, 259

Hand: Bills: 87, 89, 90, 91, 93, 97, 108, 142, 153, 160, 169, 177, 179, 191, 196, 207, 208, 214, 223, 224, 226, 229, 243, 278, 289, 325, 329, 339, 341, 344, 345, 367, 393, 425, 471, 499, 510, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 570, 571, 572, 575, 577, 587, 588, 595, 597, 622, 629, 648, 693, 698, 705, 706

Resolutions: 3, 16, 24, 40, 71, 83, 104, 165, 182, 187, 189, 203, 217, 234, 259

Hilliard: Bills: 26, 38, 39, 40, 63, 66, 94, 138, 139, 145, 174, 218, 223, 235, 297, 298, 329, 339, 354, 412, 435, 454, 518, 520, 521, 523, 532, 566, 571, 587, 593, 616, 645, 646, 647, 653, 679, 696, 700

Resolutions: 3, 26, 40, 71, 83, 104, 165, 167, 201, 203, 238, 296

Holmes: Bills: 26, 33, 34, 62, 64, 82, 108, 119, 120, 122, 160, 161, 163, 167, 169, 190, 191, 196, 207, 208, 210, 212, 214, 217, 224, 245, 312, 325, 339, 344, 407, 408, 409, 410, 425, 428, 471, 493, 587, 588, 611, 616, 629, 648, 650, 660, 670, 693, 707

Resolutions: 3, 40, 53, 66, 67, 71, 89, 104, 136, 186, 188, 203, 216, 239, 259

Horn: Bills: 14, 47, 48, 49, 50, 59, 63, 66, 73, 117, 142, 145, 154, 196, 211, 212, 214, 235, 325, 329, 336, 339, 344, 368, 406, 425, 442, 443, 444, 445, 446, 447, 448, 463, 471, 490, 500, 526, 554, 559, 560, 587, 595, 616, 630, 645, 648, 653, 662, 696, 700, 716

Resolutions: 3, 26, 40, 71, 90, 104, 165, 201, 203, 238, 296

Langford: Bills: 14, 66, 67, 68, 69, 70, 73, 79, 136, 191, 193, 194, 195, 207, 208, 210, 211, 212, 214, 215, 218, 235, 237, 290, 291, 292, 312, 340, 344, 355, 368, 386, 387, 388, 402, 425, 430, 435, 463, 550, 557, 572, 587, 616, 619, 623, 641, 644, 645, 652, 654, 700, 716

Resolutions: 3, 29, 40, 71, 74, 104, 165, 172, 187, 203, 210, 239

Little: Bills: 74, 75, 81, 87, 89, 90, 93, 97, 108, 132, 133, 134, 135, 151, 152, 154, 161, 168, 169, 170, 172, 191, 196, 197, 199, 200, 201, 204, 205, 206, 207, 208, 209, 210, 212, 214, 217, 221, 224, 230, 245, 266, 278, 296, 312, 325, 329, 338, 339, 342, 366, 375, 417, 425, 462, 471, 486, 491, 507, 508, 554, 569, 571, 576, 613, 616, 626, 637, 648, 693, 700

Resolutions: 3, 16, 28, 30, 37, 40, 71, 79, 80, 83, 96, 97, 98, 99, 104, 109, 110, 133, 134, 135, 136, 163, 166, 169, 187, 193, 194, 195, 196, 197, 200, 203, 204, 212, 241, 242, 259, 295, 305

Menton: Bills: 87, 88, 89, 90, 91, 93, 96, 97, 100, 101, 108, 141, 154, 161, 167, 169, 171, 191, 192, 196, 207, 208, 210, 212, 214, 224, 226, 231, 232, 233, 234, 236, 243, 254, 268, 308, 309, 310, 343, 356, 367, 375, 391, 393, 395, 396, 397, 398, 399, 400, 471, 472, 482, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 559, 560, 585, 586, 588, 595, 606, 613, 616, 625, 627, 629, 645, 648, 683, 693, 699, 700, 716

Resolutions: 3, 5, 36, 40, 71, 81, 83, 103, 104, 139, 185, 203, 259

Mitchem: Bills: 57, 90, 100, 101, 108, 111, 169, 196, 197, 198, 199, 200, 201, 202, 204, 205, 206, 207, 208, 209, 210, 212, 214, 221, 224, 226, 230, 266, 312, 425, 432, 439, 462, 464, 471, 475, 505, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 567, 584, 594, 613, 618, 629, 648, 650, 665, 693, 719

Resolutions: 3, 40, 71, 104, 179, 203, 205, 231, 259, 263, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 301

Parsons: Bills: 2, 14, 26, 73, 114, 123, 131, 145, 154, 161, 212, 214, 216, 217, 223, 251, 252, 254, 255, 256, 257, 259, 278, 279, 300, 303, 305, 325, 329, 339, 344, 345, 347, 350, 352, 394, 413, 419, 425, 435, 455, 456, 457, 463, 480, 487, 488, 500, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 587, 599, 616, 629, 639, 645, 648, 675, 676, 687, 693, 696, 700, 714, 716

Resolutions: 3, 25, 26, 35, 71, 104, 165, 177, 203, 204, 222, 238, 259, 260, 296, 302

Rules Committee:

Resolutions: 27, 32, 38, 49, 68, 108, 128, 149, 160, 202, 206, 208, 221, 235, 237, 254, 262, 264, 303, 307

Sanders: Bills: 196, 212, 214, 339, 365, 425, 435, 463, 471, 524, 569, 571, 573, 600, 601, 602, 603, 604, 615, 616, 628, 631, 632, 633, 636, 653, 656, 661, 663, 700, 713

Resolutions: 3, 40, 71, 75, 76, 77, 104, 142, 143, 144, 145, 165, 168, 170, 171, 203, 223

Smith (B): Bills: 274, 277, 301, 302, 329, 345, 373, 395, 396, 397, 398, 399, 400, 564, 575, 582, 587, 588, 595, 605, 613, 621, 627, 629, 630, 645, 648, 666, 693, 694, 700, 716

Resolutions: 3, 40, 71, 104, 165, 203, 233, 259

Smith (J): Bills: 26, 33, 34, 44, 46, 51, 52, 53, 54, 55, 56, 57, 58, 73, 83, 84, 98, 104, 106, 108, 142, 154, 173, 178, 207, 208, 210, 212, 214, 215, 217, 218, 239, 244, 312, 315, 316, 321, 329, 351, 373, 422, 425, 427, 588, 629, 630, 648, 664, 693, 716

Resolutions: 3, 9, 10, 14, 15, 16, 33, 34, 40, 44, 45, 58, 59, 71, 83, 84, 85, 104, 106, 107, 130, 131, 140, 141, 150, 151, 152, 155, 156, 165, 173, 174, 176, 187, 191, 192, 198, 199, 203, 218, 232, 233, 250, 251, 285, 286, 287, 288, 289, 290, 291, 292, 293

Strong: Bills: 14, 88, 89, 90, 93, 97, 145, 161, 169, 179, 185, 196, 203, 214, 223, 224, 226, 228, 229, 241, 245, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 344, 348, 482, 484, 509, 510, 517, 530, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 554, 559, 560, 569, 570, 573, 583, 587, 616, 627, 629, 648, 693, 700, 716

Resolutions: 3, 11, 12, 18, 40, 41, 56, 71, 87, 100, 104, 126, 136, 167, 203, 243, 244, 245, 259

Senate:

Resolutions: 4, 13, 42, 43, 73, 89, 147, 161, 163, 178, 190, 195, 209, 213, 219, 231, 295, 296

Teague: Bills: 1, 3, 37, 76, 80, 87, 89, 90, 91, 93, 108, 111, 113, 121, 124, 125, 126, 127, 129, 130, 140, 144, 146, 147, 148, 154, 161, 165, 166, 169, 185, 191, 196, 206, 222, 224, 226, 234, 236, 283, 284, 285, 294, 317, 326, 329, 330, 341, 343, 344, 348, 359, 370, 403, 418, 425, 433, 451, 452, 453, 460, 461, 466, 468, 469, 470, 471, 476, 495, 496, 497, 501, 504, 505, 513, 514, 515, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 551, 581, 587, 596, 598, 616, 620, 629, 634, 648, 650, 655, 658, 669, 672, 677, 683, 686, 693, 696, 700, 716

Resolutions: 1, 2, 6, 13, 21, 40, 69, 71, 73, 83, 102, 104, 147, 187, 203, 204, 214, 239, 240, 259, 260

JOURNAL OF THE SENATE 1985
NUMERICAL AND SHORT TITLE INDEX
SENATE BILLS

- S 1—Funeral Services Board, regulations, page 4
- S 2—City and County, retirement allowances, exempt from state income tax, page 5
- S 3—Motor Vehicles, definition to include recreational vehicles, pages 5, 147, 424
- S 4—Hospitals, loss of State tax exemption because of refusal to admit patient to neonatal unit, pages 5, 299, 599
- S 5—Emergency Management Act, regulations, pages 5, 174, 240
- S 6—Counties and Municipalities, road construction and repairs, oil lease monies appropriation, c/a, page 5
- S 7—Law Enforcement Officers and Firemen, preferential treatment for hospital admission, pages 6, 403, 559, 765, 803, 832, 1490, 1681, 1816, Act no. 85-542
- S 8—Fishing Licenses, nonresidents, fees and charges, pages 6, 71, 220, 240, 749, 756, 761
- S 9—Statute of Limitations, number of crimes fall under increased, page 6
- S 10—Environmental Protection Superfund, appropriation, pages 6, 413, 613, 896, 946, 1256, 1263, 1369, 1423
- S 11—Water and Sewer Boards, interest on bonds, page 6
- S 12—Mental Retardation, testing defendants for between arrest and first court appearance, pages 6, 81, 201, 213, 416, 453, 516, 1796, 1840, 1958, Act no. 85-652
- S 13—King's Ranch, tax exempt, pages 7, 723, 801
- S 14—Alcoholism and Drug Abuse, treatment, insurance provided, pages 7, 409, 468, 765, 804, 847, 920
- S 15—Ad Valorem Tax, notice to former owner on redemption sales for delinquent taxes, pages 7, 80, 151, 213, 262, 323, 337, 344
- S 16—University of Montevallo Foundation and Alumni Association, tax exempt, page 7
- S 17—Forest Lands, fire protection, finance charge assessed, pages 7, 70, 131, 213, 213, 261, 280
- S 18—Forest Fire, assessment for fire protection, c/a, pages 7, 70, 131, 213, 261, 281
- S 19—Forest Products, severance at an increased tax rate, page 8
- S 20—Headlights, required to be on during fog and rain, pages 8, 147, 262
- S 21—District Attorneys, supernumerary service altered, pages 8, 233, 262, 1277, 1278, 1359

- S 22—Probate Judge, funds owed to mental incompetents payable to, pages 8, 233, 262
- S 23—Military Department Billeting Revolving Fund, appropriation, pages 8, 122, 220, 242, 763, 1408, 1428, 1441, Act no. 85-638
- S 24—18th Judicial Circuit, Clay County, additional district judgeship, pages 8, 234, 262, 734, 775, 967, 1005, 1079
- S 25—State Geologist, contract with federal government for surveys, pages 9, 147, 179, 214, 262, 280
- S 26—State Committee of Public Health, per diem and mileage, pages 9, 299, 431, 1004, 1371, 1425
- S 27—State Docks, Cordova-Walker, Florence-Lauderdale, and Decatur-Morgan, conveyances, pages 9, 402
- S 28—University of Montevallo Foundation and Alumni Association, tax exempt, page 9
- S 29—Sales Representatives and Principals, agreements involving commissions, written contract required, pages 9, 323, 380, 423, 565, 570, 1488, 1681, 1816, Act no. 85-543
- S 30—Missing Persons, time and manner of investigations, penalties for false reporting, pages 9, 80, 201, 214, 262, 323, 341
- S 31—Aged Health Care Recipient Ombudsman Act, Commission on Aging to operate, page 9
- S 32—Safe Dams Act, penalties provided, page 10
- S 33—Dentists and Dental Hygienists, practice of, pages 10, 300, 369, 908, 1257, 1370, 1424
- S 34—Dentists, advertising, pages 10, 300, 369
- S 35—Physicians, vitamins, minerals, or dietary supplements, tax exempt, pages 10, 413, 469, 774, 1281, 1359, 1752, 1795, 1816, Act no. 85-630
- S 36—County Commissions, meetings, pages 10, 405, 599
- S 37—Insurance, municipalities authorized to license, page 11
- S 38—Birmingham, corporate limits altered, pages 11, 72, 94, 106
- S 39—Fultondale, corporate limits altered, pages 11, 72, 94, 106, 155
- S 40—Gardendale, corporate limits altered, page 11
- S 41—Jefferson County, tax assessor, tax collector and treasurer, compensation, pages 11, 325, 430, 887, 903
- S 42—Jefferson County, appointment of department heads, pages 12, 72, 430, 972, 978, 1076
- S 43—Jefferson County, treasurer, expense allowance, pages 12, 73, 85, 106, 155
- S 44—Wheat and Feed Grains, distribution and marketing, pages 12, 71, 77, 214

- S 45—Notaries Public, bonds increased, pages 13, 631
- S 46—Civil Procedure, pro tanto releases or discharges in writing which reserve claimant's right to proceed against others, pages 13, 80, 151, 215
- S 47—Birmingham Retirement Systems, authorized to make loans to employees, pages 13, 73, 85, 107, 155, 743, 1269
- S 48—Birmingham, Board of Managers, Jessie James White, pension awarded, pages 13, 73, 85, 107, 156, 422, 434, 538, Act no. 85-236
- S 49—Birmingham, Board of Managers, investments, stocks and bonds, pages 14, 73, 85, 107, 156
- S 50—Competitive Bid Law, preference to local contractors, page 14
- S 51—Criminal Procedure, state may demand jury trial when it is waived by defendant, page 14
- S 52—Crime, assault in first degree to include causing injury with vehicle while driving under the influence, page 14
- S 53—Work Release, certain prisoners cannot participate, pages 14, 80, 151, 215, 417, 453, 534, 537
- S 54—Death Sentence, governor can commute to life for certain crimes, pages 14, 80, 119, 151, 178, 215, 221, 224
- S 55—Minimum Sentences, increased, pages 15, 79, 119, 151, 178, 215, 221, 224
- S 56—Work Release, escape from constitutes felony, pages 15, 80, 151, 216, 1333
- S 57—Firemen, disability compensation, pages 15, 122, 137, 216, 804, 889, 931, 947
- S 58—Motor Vehicles, driving while under the influence, chemical test to include controlled substances, page 15
- S 59—Environmental Management Commission, members increased, page 15
- S 60—Nonprofit Corporation Act, members to include domestic and foreign corporation, pages 15, 121, 137, 216, 416, 453, 533
- S 61—Labor, settlement of wage claim protests by Department of Labor, pages 15, 145, 179, 218, 749, 756
- S 62—Computer Crime Act, penalties, pages 16, 124, 154, 218, 261, 278, 284, 745, 792, 860, Act no. 85-383
- S 63—Counties and Municipalities, bonds, sale of, altered, pages 16, 398, 591
- S 64—Tax, gross receipts estimated tax payments so as to phase-out over a five year period, pages 16, 123, 217, 935, 1334, 1359
- S 65—Employees Retirement System, members who elect to continue in active service, retirement allowance options, pages 16, 124, 179, 219, 801, 1087, 1126

- S 66—Aged Health Care Recipient Ombudsman Act, Commission on Aging to operate, pages 16, 237, 259, 708, 803, 821, 822, 826, 889, 1942, 1954, 1959, Act no. 85-657
- S 67—Employees, non-classified, sick leave benefits, pages 16, 69, 77, 139, 180, 199, 221, 221, 228
- S 68—Competitive Bid Law, to include materials, equipment, supplies, etc., pages 16, 69, 77, 120, 139, 157, 159, 197, 531, 543, 594, Act no. 85-281
- S 69—Fair Trial Tax Receipts, prosecutorial services in municipal and circuit courts, page 17
- S 70—Municipal Ordinances, adoption of like ordinances by ordinances or reference, pages 17, 70, 77, 219
- S 71—Dixie Youth Baseball, Russell County, tax exempt, page 17
- S 72—Ladonia-Crawford Water and Fire Protection Authority, utilities tax, exempt, page 17
- S 73—Schools, employees of, exempt from liability for communications concerning students suspected of using controlled substances, pages 17, 80, 151, 219, 261, 281, 421, 434, 538, Act no. 85-239
- S 74—Insanity, test to be used in determination, page 17
- S 75—Missionaries, tax exempt, pages 17, 326, 430, 934
- S 76—District Court Judges, spouses death benefits, pages 18, 149, 179, 219, 417, 453, 534
- S 77—Insurance Salesmen, education programs, pages 18, 680
- S 78—Home Health Care and Hospice Services, State Board of Health to license, page 18
- S 79—Opportunities Industrialization Center, employees may join Teachers Retirement System, pages 18, 173, 239, 360, 749, 752
- S 80—Real Estate Commission, numerous code sections amended, pages 18, 704, 723, 1280
- S 81—Colleges and Universities, Partnership Plan, gifts encouraged, appropriation, pages 18, 326, 430
- S 82—State Agencies, costs of defending against by small business and individuals payable from agency funds, pages 19, 124
- S 83—Mental Health Board, superintendent and physicians, depositions permitted, pages 19, 81, 151, 178, 220, 270, 893, 1254, 1257
- S 84—Education, employees paid minimum wage, pages 19, 236, 263
- S 85—Motor Vehicles, license fees, page 19
- S 86—Rehabilitation and Crippled Children Service, reimbursements not to revert to State, pages 19, 123, 180, 220, 416, 453, 512, 1666, 1681, 1816, Act no. 85-544
- S 87—Handicapped Persons, income tax deduction to corporations or individuals for removal of barriers, pages 19, 148, 217, 243, 261, 280, 322, 327, 344, 434, 1487, 1681, 1816, Act no. 85-545

- S 88—Sheriffs, minimum salary, pages 19, 148, 217, 360, 417, 453, 535, 565, 1239, 1275, 1357, Act no. 85-518
- S 89—Voters, registration and polling places accessible to handicapped and elderly, pages 20, 70, 85, 128, 139, 180, 199, 203, 422, 538, Act no. 85-234
- S 90—Prisoners of War, Medal of Honor, distinctive tags, surviving spouse entitled to, pages 20, 122, 217, 360, 804
- S 91—Insurance, acquisitions and mergers of domestic companies, pages 20, 295, 424, 733, 967, 975, 1004
- S 92—Cahaba River, environment protection, penalties, pages 20, 543
- S 93—Food Stamps, illegal possession, penalties, pages 20, 401, 482
- S 94—Court of Criminal Appeals, clerk authorized to hire assistant, pages 20, 80, 150, 220, 261, 281, 1952, 1954, 1959, Act no. 85-656
- S 95—Teachers, mandatory retirement, exceptions, pages 20, 78, 217, 361, 630
- S 96—Selma-Dallas County Historical Preservation, tax exempt, pages 21, 681, 733, 949, 966, 1012, 1012
- S 97—Search Warrants, night time issuance, pages 21, 402, 481
- S 98—Kindergartens, minimum food program, pages 21, 79, 151, 769, 857, 1087, 1129
- S 99—Schools, personnel, examination for tuberculosis, pages 21, 79, 151
- S 100—Education, boards, city and county, utility service use tax, exemption, page 21
- S 101—Oil and Gas Excise Tax, Boards of Education, Deaf and Blind Institute, and Youth Services Department exempt, page 22
- S 102—Motor Vehicles, lemon law, refunds for failure to conform to warranties, pages 22, 324, 377, 771
- S 103—Dental Examiners Board, one hygienist added, page 22
- S 104—Wheat and Feed Grains, promotion, distribution and marketing, c/a, pages 22, 71, 77
- S 105—Law Enforcement Officers, federal, retired, exempt from pistol permit license, page 22
- S 106—Colleges, sex and salary of professors to be published, page 22
- S 107—Teachers Retirement System, Board of Control, members increased, pages 22, 212, 239, 243, 261, 282, 1236, 1276, 1357, Act no. 85-519
- S 108—Trucks, used by farmers, license and registration fee, exempt, page 23
- S 109—Education, personnel records into compliance with federal regulations, pages 23, 325, 435
- S 110—Worthless Checks, charges provided for, page 23

- S 111—County Commissioners, compensation, pages 23, 70, 77, 197, 221, 223, 228, 790, 820, 860, Act no. 85-365
- S 112—Kindergartens, Board of Education to purchase textbooks, pages 23, 408, 591, 939, 1285, 1359
- S 113—Municipalities, health insurance for employees, pages 23, 69, 369
- S 114—Textbook Committee, members increased, open meetings, pages 23, 79, 195, 361
- S 115—Veterans' Affairs Board, membership to include Ex-Prisoners of War, Inc., pages 24, 122, 180, 361, 417, 454, 565, 801, 1087, 1127
- S 116—Law Enforcement Officers, federal, arrest powers, page 24
- S 117—Birmingham Board of Managers, Catherine Robertson, pension awarded, pages 24, 73, 85, 107, 157, 423, 434, 538, Act no. 85-238
- S 118—Professional Corporation Act, altered, pages 24, 300, 373, 776
- S 119—Aliens, nonresident, engaged in farming, reports to Commissioner of Agriculture and Industry, pages 24, 71
- S 120—Public Accountancy Board, supplemental appropriation, pages 24, 399, 749, 756, 926
- S 121—Legislature, parking facilities, pages 25, 177, 284, 365, 416, 511, 537, 1448, 1464, 1527, Act no. 85-525
- S 122—Education, support personnel, personal leave, pages 25, 173, 243, 766, 804, 858, 859, 861, 919, 928, 1434, 1444, 1527, Act no. 85-644
- S 123—Hospitals, operated by State, exempt from bid law, pages 25, 124, 218, 241, 322, 328, 337, 417, 454, 565, 856, 1087
- S 124—Banking Department, duties of superintendent, Credit Union established, pages 25, 81, 263, 366, 565, 571, 596, 941, 959, 1077, Act no. 85-457
- S 125—Secretary of State, supplemental appropriation, pages 25, 398, 1280
- S 126—Teachers, incentive pay plan, Plan for Excellence, page 25
- S 127—Fair Campaign Practices Commission, pages 26, 299, 424
- S 128—Youthful Offenders, tried as adult, page 26
- S 129—Deaf and Blind Institute, adopt written educational policies, pages 26, 266, 424, 936
- S 130—Legislative Reference Service, additional personnel, pages 26, 70, 77, 118, 139, 180, 201, 1276, 1357, Act no. 85-499
- S 131—10th Judicial Circuit, Jefferson County, district court judge, salary, pages 26, 73, 85, 108, 180, 197
- S 132—Police, municipal, salary, pages 27, 172, 218, 749, 751, 769
- S 133—School Buses, seatbelts required, pages 27, 173, 218
- S 134—Revenue Forecast Control Commission, project anticipated revenue, pages 27, 177, 218, 734, 968, 1010, 1010

- S 135—State Agencies or Departments, budget management, approval from joint legislative fiscal committee, pages 27, 123, 150
- S 136—Holidays, Memorial Day added, Mardi Gras discontinued, pages 27, 70, 185, 243, 416, 447, 448, 453, 482, 513, 515
- S 137—Colleges, Boards of Trustees, additional members, page 27
- S 138—Consumers, time period when credit reporting agency may give out information, page 28
- S 139—Housing Finance Authority, senior citizens, eligibility, pages 28, 177, 803, 1086
- S 140—Tax Exemption, certain blind vendors exempt from sales and use, gross receipt taxes, pages 28, 178, 240, 261, 676, 884, 909, 1434, 1444, 1527, Act no. 85-574
- S 141—Schools, days missed due to natural disaster, pages 28, 79, 150, 242, 417, 453, 483
- S 142—Campaign Contributions, reporting of information, pages 29, 172, 217
- S 143—County School Trustees, abolish position, pages 29, 409, 463
- S 144—Troy State University, commemorative tags, pages 29, 147, 185
- S 145—Electric Suppliers, territorial bill, electrical utilities, pages 29, 146, 165
- S 146—Security Guards, private sector, regulations, pages 30, 124, 424, 772
- S 147—Judicial Officers and Employees, compensation paid by counties shall be paid instead by state, phase-in period, page 30
- S 148—Counties, laws expending county funds, effective date, c/a, pages 30, 298, 425
- S 149—Workmen's Compensation Act, includes benefits for Cotton Textile Workers Lung Disease, pages 31, 408, 456
- S 150—Civic Club, charitable fund raising events, tax exempt, page 31
- S 151—Animals, neglected or mistreated, humane officers to take control, pages 31, 72, 77, 265, 350, 367, 804, 888, 924, 925, 926, 926
- S 152—Alimony, income tax, new federal rules, pages 31, 81, 104, 197, 221, 222
- S 153—Gulf Shores, corporate limits altered, pages 31, 72, 151, 170, 181
- S 154—Branch Banks, automated tellers, page 31
- S 155—Agricultural Development Authority, finance types of facilities, pages 43, 72, 78, 240, 263, 350, 416, 453, 513, 624, 637, 670, Act no. 85-313
- S 156—Manslaughter, defined, pages 43, 401, 481
- S 157—Youthful Offenders, once tried as an adult, always tried as an adult, pages 43, 401, 481

- S 158—State Treasurer, authorized to distribute petroleum inspection fees, pages 43, 124, 151, 367, 1327
- S 159—Teachers, certification fee, page 44
- S 160—Prisoners, escape while on work release, leave or furlough, deemed a felony, pages 44, 234, 387
- S 161—Schools, record falsification by any employee, misdemeanor, pages 44, 634
- S 162—Public Service Commission, motor carrier operations, increase funding, pages 44, 147, 284, 367, 749, 750, 1796, 1840, 1958, Act no. 85-653
- S 163—Fireworks, regulations, pages 44, 125, 719, 776, 895, 1255, 1262
- S 164—Swine Diseases, eradication and control, conditional appropriation, pages 44, 397, 599
- S 165—Employees Retirement System, to permit participation of State Employees Association and Retired State Employees Association, pages 45, 403, 977
- S 166—Employees Merit System, longevity pay, pages 45, 295, 360
- S 167—Pharmacy, declared a learned profession, pages 45, 553, 631, 767, 803, 1087, 1127, 1130
- S 168—Retirement Systems, choice of lump sum death benefit or monthly survivor allowance, pages 45, 70, 77, 196, 221, 222
- S 169—Endowment Fund for Eminent Scholars, appropriation, pages 45, 177
- S 170—Municipalities, validating incorporation of, pages 45, 69, 78
- S 171—Employees, proration of salary and fringe benefits, prohibited, pages 45, 398, 559, 892, 1254
- S 172—Municipalities, previous annexations validated, page 46
- S 173—Insurance, clarify language and intent in contracts, pages 46, 69, 77
- S 174—Fire Marshal, deleting chiefs-of-police, marshals and mayors, duties of assistants to fire marshal, pages 46, 69, 150, 801, 1086
- S 175—Motor Vehicles, uniform certificate of title, pages 46, 147, 284, 367
- S 176—State Property, annual inventory, pages 46, 235, 284, 368
- S 177—Gulf Shores, corporate limits altered, pages 46, 72, 151, 169, 181
- S 178—District Attorneys, investigators for, subsistence allowance, page 46
- S 179—Development Office, prohibited from restricting its industrial site preparation grants, page 47
- S 180—Taxation and Debt Limitation, various sections repealed, c/a, pages 47, 265, 373
- S 181—Hospitals, insurance policy to include mental health services, reimbursement for counselor, page 47

- S 182—Abortion or Reproductive Health Centers, certificate of need, page 47
- S 183—Sales Tax, schedule of payment altered, page 47
- S 184—State Property, inventory, pages 47, 70, 131
- S 185—Teachers, tenure, pages 48, 173, 341, 1351
- S 186—Youth Services Board, computing payment of expenses, pages 48, 412
- S 187—Legislature, interim committees, page 48
- S 188—Youth Services Revolving Fund, funding, distribution, pages 48, 238, 262
- S 189—Interstate Compact on Juveniles, requisition of juvenile from another state, Rendition Amendment, pages 48, 303, 800, 938
- S 190—Education, Partnership Plan, gifts encouraged, appropriation, page 49
- S 191—Coosa Valley Development Authority, appropriation, pages 49, 68, 77, 128, 139, 180, 200, 684, 717, 778, Act no. 85-358
- S 192—Water and Sewer Boards, interest on bonds, pages 49, 149, 179, 240
- S 193—Education, employees, sick leave, pages 49, 634
- S 194—Employees, sick leave, beneficiary entitled to portion, pages 49, 69, 150, 242, 262, 323, 331, 331, 332, 334
- S 195—Pensions and Security Board, election of two state employees, pages 50, 172, 217, 241, 749, 756
- S 196—Architects and Engineers, statute of limitations on civil actions, page 51
- S 197—Marion Military Institute, appropriation, pages 51, 399, 481
- S 198—Teachers, mandatory retirement, exceptions, page 51
- S 199—POW Thrift Shops, tax exempt, page 52
- S 200—Prisoners of War, distinctive license plates, pages 52, 122, 217
- S 201—Handicapped Persons, income tax deduction to corporations or individuals for removal of barriers, page 52
- S 202—State Personnel Department, filling vacancies in service, pages 52, 124, 218
- S 203—City and County School Boards, members residency requirements, pages 52, 408, 468, 943
- S 204—Lyman Ward Military Academy, appropriation, pages 52, 399, 592
- S 205—Prisoners of War, license plates for two cars, pages 52, 122, 218
- S 206—Talladega College, appropriation, pages 52, 399, 1280
- S 207—General Fund Budget, page 53
- S 208—Non-State Agencies, financial assistance, appropriation, page 53

- S 209—Tuskegee Institute, appropriation, pages 53, 399, 454
- S 210—Education Budget, page 53
- S 211—Sickle Cell, infant testing, pages 53, 414, 468, 766, 1346, 1399
- S 212—Employees and Teachers, retired, cost-of-living increase, pages 53, 123, 150, 241, 323, 342, 1434, 1444, 1527, Act no. 85-631
- S 213—Contractors, out-of-state, registration, pages 54, 237, 369
- S 214—Counties, prisoners housed in county jails, supplemental appropriation, pages 54, 148, 218
- S 215—Employees, payroll deductions regulated, pages 54, 69, 77, 120, 139, 150, 157, 180, 185, 186, 191, 195, 203, 664, 675, 708, Act no. 85-353
- S 216—Insurance Commissioner, authorized to levy civil penalty for violation of insurance code, page 59
- S 217—Motor Vehicles, license plates, fee increase, pages 59, 387
- S 218—Probate Judges, salary increase, pages 59, 299, 387, 476, 565, 567, 594, 1324, 1882, 1884, 1907, 1919, 1958, Act no. 85-666
- S 219—Municipalities, Class 5, alter structure for planning commission, pages 59, 722, 800, 818, 1087
- S 220—Insurance, uniform group health plan for city and county employees, local board established, pages 59, 149, 179, 976
- S 221—Walker County Junior College, appropriation, pages 59, 399
- S 222—Finance Charge, General Usury Statute, to conform in definition to the Federal Truth-in-Lending Act, page 59
- S 223—Colleges and Universities, Commission on Higher Education authorized to publish salaries, pages 60, 634, 733, 856, 976, 1087
- S 224—State Forest Industrial Development Board, appropriation, pages 60, 145, 165, 242, 323, 341
- S 225—Branch Banks, automated tellers, page 60
- S 226—Alcoholic Beverages, age raised to 21, page 60
- S 227—State Tenure Commission, geographical limitations on members removed, pages 60, 174, 430, 933
- S 228—Schools, employees of, exempt from liability for communications concerning students suspected of using controlled substances, pages 60, 401, 468
- S 229—Forest Tree Insect and Disease Fund, appropriation, pages 61, 174, 431, 943
- S 230—Teachers, advanced degree, salary increase, pages 61, 884, 1113
- S 231—State Parks, concession contracts, term extended, pages 61, 145, 430
- S 232—State Parks Revolving Fund, portion of receipts pledged for certain uses, pages 61, 145, 430, 766, 1334

- S 233—Motor Vehicles, measuring and weighing by peace officers, pages 61, 410
- S 234—Highways, advertising on right-of-way, pages 61, 415, 481, 944
- S 235—City Councils, composition, pages 62, 298, 431
- S 236—Highways, commercial enterprise prohibited on right-of-way, pages 62, 411, 599
- S 237—Education, personnel granted leave to attend meetings, pages 62, 174, 241, 369, 370, 383, 426
- S 238—Private Pension Plans, tax exempt, page 62
- S 239—Insurance, surplus line, companies and policies further regulated, pages 62, 149, 241, 939
- S 240—Sheriffs, supernumerary, program reopened, pages 63, 124, 217, 368, 417, 453, 565, 566, 1414, 1429, 1441, Act no. 85-637
- S 241—Public Assistance Warrants, outstanding, Pensions and Security authorized to void and receive credit, page 63
- S 242—Motor Vehicles, liability insurance, pages 63, 680, 720, 770, 897, 1256, 1370, 1423
- S 243—Forest Products, records of purchase must be maintained, pages 63, 145, 430
- S 244—Juvenile Probation Officers, placed under Administrative Office of Courts, pages 63, 550, 631, 940
- S 245—Ad Valorem Tax, homestead exemption, pages 64, 236, 305, 935
- S 246—Drugs, prohibits dispensing of by other than pharmacists or medical practitioners, page 64
- S 247—LA-MS-AL Rapid Rail Transit, appropriation, page 64
- S 248—Employees, retired, cost-of-living increase, pages 64, 232, 304, 768, 897, 1256, 1370, 1424
- S 249—12th Judicial Circuit, Coffee and Pike Counties, circuit judges and district attorneys, supplemental appropriation, page 64
- S 250—Law Enforcement Officers, with the Department of Corrections to receive subsistence allowance, page 64
- S 251—Child Support, salary withholding, pages 64, 238, 431
- S 252—Child Support Orders, Pensions and Security to operate program, pages 65, 239, 431
- S 253—Children, detention in jails, pages 65, 239, 262, 938
- S 254—Child Support, foreign order, procedure ratified in courts, pages 65, 239, 430
- S 255—Income Tax, Pensions and Security to withhold refunds for debts, pages 65, 303, 430
- S 256—Public Assistance Warrants, outstanding, Pensions and Security authorized to void and receive credit, pages 66, 679

- S 257—Child Support, Pensions and Security may assign payments owed, pages 66, 412, 591
- S 258—Parent Locator, Department of Revenue to furnish information, pages 66, 237, 323, 934, 1327, 1399
- S 259—Welfare, 18 year old limitation repealed, pages 66, 304, 377
- S 260—Child Support, state may garnish wages in other states, pages 66, 238, 323, 362, 684, 885, 912
- S 261—Elks Club, tax exempt, page 67
- S 262—Mobile County, filling vacancies on County Commission, pages 67, 125, 137, 169, 182, 197, 422, 434, 538, Act no. 85-237
- S 263—DeKalb County, artificial light to locate game, prohibited, pages 67, 125, 154, 169, 182
- S 264—Jackson County, artificial light to locate game prohibited, pages 67, 79, 154, 169, 185, 305, 317, 342, Act no. 85-228
- S 265—Prichard, city of, filling vacancy in the office of mayor, pages 68, 125, 137, 168, 183, 422, 434, 538, Act no. 85-235
- S 266—Employees, pay raise, pages 68, 295, 379, 416, 443, 445, 450, 1352, 1427, 1441, 1850
- S 267—Mobile County, Board of Education, duties and powers defined, pages 85, 125, 137, 168, 183
- S 268—Mobile County, oil and gas severance tax, distribution of, altered, pages 86, 300, 318, 320, 355, 435, 643
- S 269—Mobile County, firemen and policemen, pension plan, altered, page 86
- S 270—Mobile County, deputy registrars, additional volunteers authorized, pages 86, 126, 137, 168, 184, 480, 543, 594, Act no. 85-310
- S 271—Mobile, City of, firemen and policemen, pension and relief system altered, page 86
- S 272—Mobile County, campaign materials at polling places, distribution of prohibited on election day, pages 87, 126, 137, 167, 184, 422, 434, 538, Act no. 85-233
- S 273—Worthless Checks, charge further provided, pages 87, 149, 165, 242, 261, 323, 328, 516, 543, 594, Act no. 85-282
- S 274—Motor Vehicles, alcoholic beverages, open containers prohibited, pages 87, 402
- S 275—Teachers Retirement System, member benefits to surviving spouse changed, pages 87, 634, 801, 801, 1086
- S 276—Houston County, additional district judgeship, qualifications and compensation, pages 87, 234, 262, 362, 757, 897, 927, 1401, 1663, 1681, 1816, Act no. 85-546
- S 277—Condominium Owners, voting rights, adjusted, page 88
- S 278—Motor Vehicles, light cast on real property at night, unlawful, pages 88, 145, 220

- S 279—Alcoholic Beverages, wine, transportation of, pages 88, 172, 304, 362
- S 280—State Employees Insurance Board, retiree members authorized, pages 88, 149, 331, 367, 416, 453, 484, 1329, 1427, 1441, Act no. 85-642
- S 281—Branch Banks, automated teller machines, page 88
- S 282—Legislative Compensation Commission, duties, pages 88, 235, 613
- S 283—Insurance Regulatory Trust Fund, license fees, pages 89, 149, 263, 565, 749, 755
- S 284—Conservation and Natural Resources Department, supplemental appropriation, page 89
- S 285—Employees, retired, elect to continue coverage under group plan, pages 89, 232, 263, 363, 676, 884, 910, 1750, 1795, 1816, 1881, 1904, 1919, 1958, Act no. 85-649
- S 286—Alcoholic Beverages, licensing code, dry and wet counties, pages 89, 172, 217, 262, 280, 323, 330, 1487, 1681, 1816, Act no. 85-547
- S 287—Eminent Domain Code, condemnation procedures, pages 89, 400, 468, 768, 804, 850, 890, 1489, 1682, 1816, Act no. 85-548
- S 288—Wildlife, hunting rights of landowners who carry on a program to protect, pages 90, 296
- S 289—Education, State Board, member from each congressional district, pages 90, 1085
- S 290—African Development Bank, investments, page 90
- S 291—African Development Bank, investments, pages 91, 149, 179, 939, 1329
- S 292—Employees' State Insurance Board, retiree members, authorized, pages 91, 235, 263, 363, 365
- S 293—Drugs, paraphernalia law, pages 91, 400, 591
- S 294—Elections, validated in certain counties and municipalities, pages 91, 298, 425
- S 295—Scenic Rivers System Act, protect waterways, page 91
- S 296—Motor Vehicle, recreational, license tax decreased, pages 91, 233, 262
- S 297—Civil Rights Museum, located in Birmingham, pages 91, 172, 217, 363, 435
- S 298—Jazz Museum and Institute, located in Birmingham, page 92
- S 299—Coal Mine Safety, numerous code sections amended, pages 92, 407, 682
- S 300—Retirement Systems, members authorized to purchase credit for service as a county employee, pages 92, 549, 613
- S 301—Fishing, use of gill, trammel or similar nets, regulated, pages 92, 145, 650
- S 302—Hospital Hospitality House of Huntsville, tax exempt, page 93

- S 303—Alcoholic Beverages, pregnant women, warning posted, pages 93, 178, 616, 749, 750, 751, 775
- S 304—Municipalities, vacancies in mayor's office, special election to fill, page 93
- S 305—Municipal Officers, service credit in retirement system, pages 93, 235, 1279, 1890, 1900, 1958, Act no. 85-662
- S 306—A. U. M. Dixie Youth Baseball, tax exempt, page 93
- S 307—Mobile Homes, filing of financing statements, pages 93, 411, 599
- S 308—Schools, average daily attendance, minimum program fund, defined, pages 93, 408
- S 309—Special Educational Trust Fund, transfer of funds, page 93
- S 310—Public Officers and Employees, convicted of felony, vacate office, pages 94, 400, 911
- S 311—Eminent Domain, acquisition of right-of-way, appeal process, pages 94, 401, 1013, 1114, 1426
- S 312—Employees, retired, cost-of-living increase, pages 94, 148, 218
- S 313—Branch Banks, automated tellers, page 97
- S 314—Elections, absentee voting, curbs abuses, page 97
- S 315—Prisoners, convicted felons to serve in state facility unless judge specifies county jail, pages 97, 726, 893, 893, 943, 1254, 1258, 1259, 1275
- S 316—Motor Vehicles, leaving scene of accident, penalties, pages 97, 402, 469, 707, 749, 751
- S 317—Congress of Parents and Teachers, authorized to join teachers retirement system, pages 97, 173, 263, 676, 884, 889, 909
- S 318—Commission on Uniform State Laws, dollar limit removed on State appropriations, pages 97, 237, 263, 894, 1255, 1299, 1349
- S 319—Hospital Workers, retired, cost-of-living increase, pages 98, 295, 369
- S 320—Elections, voter registration file maintenance system established, pages 98, 547, 613, 769, 804, 833, 836, 863
- S 321—Criminals, mentally ill, hearings prior to release of defendant who committed crime, page 98
- S 322—State Committee of Public Health, per diem mileage, page 98
- S 323—Municipal Ordinances, procedure to introduce in evidence in circuit courts, pages 98, 403, 1111
- S 324—Educational Personnel, governing body required to grant time to professional development, pages 98, 236, 304
- S 325—Alabama Right-To-Know Law, on hazardous waste ownership, pages 99, 173, 240, 244, 327, 369, 377, 749, 752, 753, 755, 1076, 1369
- S 326—Finance Department, state purchasing agent authorized to make purchases from out-of-state prison industries for resale, pages 99, 404, 591

- S 327—Employees, moving expenses, reimbursement, page 99
- S 328—Peace Officers Annuity and Benefit Fund, disability, new members prohibited from purchasing prior service, page 99
- S 329—Firemen, retirement pay and pensions, tax exempt, page 99
- S 330—Insurance Regulatory Trust Fund, license fees increased, page 99
- S 331—Bail, persons charged with violating municipal ordinance, pages 100, 401, 1111
- S 332—Health Department, employees, appointment authorized in absence of health officer clarified, pages 100, 300, 431
- S 333—Firemen, training entity entitled to compensation, page 100
- S 334—Child Abuse and Neglect Prevention Board, Children's Trust Fund, staff, compensation, distribution of funds, pages 100, 679
- S 335—Enterprise Zone Act, established, pages 100, 414, 1111
- S 336—Jefferson County, sheriff's department, authorized office space in criminal justice building, pages 101, 966, 1113, 1264
- S 337—Association for Retarded Citizens, tax exempt, pages 101, 723, 918
- S 338—Film Commission, members covered under employees health insurance and retirement plans, pages 101, 297, 429, 770
- S 339—Amusement Safety Act, operation of, penalties, pages 101, 410, 456, 771, 804, 842, 889
- S 340—Retired Teachers Association, employees and officers authorized to join, pages 101, 297, 373, 937, 1299
- S 341—Children's Trust Fund, tax check-off, amount increased, page 101
- S 342—State Health Planning and Development Agency, certificate of need fees paid into general fund, pages 102, 233, 263
- S 343—Eminent Domain, ad valorem tax on property, regulated, pages 102, 727
- S 344—School Personnel, Board of Education required to defend where civil action brought against, pages 102, 1084
- S 345—Minimum Program and Public School Fund, fully funded, pages 102, 212, 240, 772, 804, 855, 890
- S 346—Competitive Export Corporation, established, pages 102, 415, 469, 771, 803, 831, 889
- S 347—Garnishment, conform to federal law, pages 103, 400, 650, 772, 777, 968, 1013
- S 348—Divorce, military retirement pay, pages 103, 551, 733
- S 349—Motor Vehicle Franchise Act, lemon law, prohibit unfair trade practices, pages 103, 324, 468
- S 350—Hunting Licenses, nonresident, fees altered, pages 103, 632, 741, 770
- S 351—Farm Products, sale, buyer takes free of security interest, exception, pages 103, 960

- S 352—School Taxes, homestead exemption defined, page 103
- S 353—Rapid Rail Transit Commission, transferred from Economic and Community Affairs to Highway Department, pages 104, 412, 599
- S 354—Jefferson County, County Commission, redistricting and reorganization, page 131
- S 355—Revenue Department, assistant legal counsels, pages 131, 235, 263, 365
- S 356—Oysters, sacking and tagging, penalties, page 131
- S 357—Divorce, military retirement pay, page 132
- S 358—Department of Youth Services, records, disposition, pages 132, 304, 430
- S 359—Burial Contracts, pre-need, sale of, page 132
- S 360—7th Judicial Circuit, Calhoun and Cleburne Counties, additional judgeships, pages 132, 234, 262, 734, 774, 967, 1007, 1079
- S 361—Revenue Department, law enforcement officers, powers regulated, pages 132, 681, 1113
- S 362—Solid Waste, board of directors of authorities, pages 132, 300, 312, 894, 940, 1255, 1260
- S 363—State Fire College, administered by chancellor of postsecondary education, pages 132, 409, 1116
- S 364—Branch Banks, automated tellers, share with other banks, page 133
- S 365—Child Labor Law, hours regulated, pages 133, 236, 429, 776, 804, 888, 929, 947
- S 366—Legislative Council, control over interim committees, pages 133, 406, 592, 734, 968, 1011, 1079
- S 367—Foreign Trade Commission, name and members altered, page 133
- S 368—Firemen, license plates, pages 133, 882, 945
- S 369—Civil War Institute, established at Tannehill, pages 133, 407, 463
- S 370—Legislative Compensation Commission, established, c/a, pages 133, 265, 318, 945
- S 371—Banking Department, examine a bank every other year, pages 134, 412, 599
- S 372—Criminal Procedure, document authorized as evidence to prove conviction, pages 134, 403, 468, 895, 947, 1255, 1262
- S 373—Ice and Snow Damage, appropriation to certain counties in northern Alabama, pages 134, 233, 284, 363, 565, 571
- S 374—County or Municipal Port Authorities, public entities may give financial aid to, pages 134, 235, 304, 1004, 1371, 1425
- S 375—Misdemeanor or Felony, arrest without a warrant authorized, pages 134, 551, 631

- S 376—Business Corporation Act, procedure to amend articles of incorporation altered, pages 135, 236, 304
- S 377—Sales Tax, various definitions altered, page 135
- S 378—Municipalities, Class 2, new city government established, page 135
- S 379—Municipalities, Class 2, new city government established, page 135
- S 380—Child Support, paid directly to Pensions and Security in certain circumstances, pages 161, 402, 599, 773, 896, 1256, 1369, 1423
- S 381—Branch Banks, automated tellers to share with other banks, page 161
- S 382—Legislative Reapportionment, house districts 88 and 89, pages 161, 405, 650, 770, 1332
- S 383—Insurance, hospital or medical, mental health counselors included in contract, page 161
- S 384—Municipalities, Class 2, form of government, page 161
- S 385—Child Support, definition of income altered, page 162
- S 386—Montgomery County, tax assessor and collector, compensation, pages 162, 211, 241, 259, 387, 423, 428, 445, 1881, 1919, 1958 Act no. 85-663
- S 387—Montgomery County, sheriff, compensation, pages 162, 211, 241, 260
- S 388—Judicial Retirement System, reopen for legislators and assistant district attorneys, page 162
- S 389—Court of Civil Appeals, authorized to administer oaths, pages 162, 402, 468, 897, 1256, 1370, 1423
- S 390—Court of Civil Appeals, authorized to hire additional attorneys, pages 163, 401, 468, 896, 1256, 1265, 1369, 1423
- S 391—Life Care Facilities, Securities Commission to regulate, pages 163, 295, 430, 765, 804, 888, 926
- S 392—Counties, population of 100 thousand or less, highways to be maintained by state, distribution of county road funds, page 163
- S 393—Abortions, parental notification required, page 163
- S 394—Workmen's Compensation Law, changed to Alabama Workers Compensation Law, pages 163, 237
- S 395—Oil and Gas Board, fees for classification of wells under the Natural Gas Policy Act of 1978, pages 163, 235, 262, 368
- S 396—Oil and Gas Board, powers and duties altered, pages 164, 297, 424
- S 397—Oil and Gas, drilling, non-consenting owners required to pay share of, pages 164, 415, 481
- S 398—Oil and Gas Production Tax, reporting date altered, pages 164, 410, 481
- S 399—Oil and Gas Production Privilege Tax, reporting date altered, pages 164, 410, 481

- S 400—Oil and Gas, drilling equipment used in federal waters, tax exempt, pages 164, 397, 895, 895, 1255, 1334, 1369, 1423
- S 401—Firemen, distinctive license plates, additional fee eliminated, page 165
- S 402—15th Judicial Circuit, Montgomery County, circuit clerk, compensation, pages 165, 211, 241, 260
- S 403—Land, sales tax, notification procedure, pages 165, 400, 591
- S 404—Wreckers, exempt from Public Service Commission, regulations, pages 165, 411, 720, 777, 804, 841
- S 405—Branch Banks, automated tellers, share with other banks, page 203
- S 406—Branch Banks, automated tellers, share with other banks, page 203
- S 407—Oxford Downtown Development Authority, established, pages 203, 267, 304, 332, 411, 435, 608, 638, 670, Act no. 85-318
- S 408—Anniston Downtown Development Authority, established, pages 205, 268, 304, 332, 437, 609, 639, 670, Act no. 85-319
- S 409—Calhoun County, conveyances must have address in order to be recorded, pages 206, 270, 305, 332, 439, 611, 637, 670, Act no. 85-314
- S 410—Calhoun County, civil service and chairman of the board, expense allowance, examination fee, pages 207, 270, 305, 333, 439, 611, 638, 670, Act no. 85-316
- S 411—Morgan County, TVA payments, in lieu of taxes, pages 207, 270, 304, 351, 439, 1889, 1900, 1958, Act no. 85-661
- S 412—Jefferson County, sheriff, compensation, pages 207, 324, 431, 452, 809
- S 413—Holidays for State, observance, page 207
- S 414—Tax Assessor, tax collector, revenue commissioner and license commissioner, compensation, pages 207, 296, 318, 351, 416, 453, 482, 537
- S 415—Branch Banks, automated tellers, share with other banks, page 208
- S 416—Exotic Birds Business, regulations, pages 208, 633, 730, 771, 818, 1087, 1128, 1130
- S 417—Municipalities and Public Water Entities, prohibit from acquiring or duplicating water systems, page 208
- S 418—Athletic Events, exempt from gross receipts tax, pages 208, 266, 424, 749, 755
- S 419—Jefferson County, employees vacation and leave regulated, pages 208, 325, 682, 786, 807, 832
- S 420—Youth Services Department, District Board of Education, reorganized, pages 209, 634, 733, 940, 1320, 1360
- S 421—Tax Liens, uniform optional filing fee, pages 209, 404, 682, 936

- S 422—Madison County, license commissioner to issue boat licenses, pages 209, 270, 318, 351, 440, 611, 638, 670, Act no. 85-315
- S 423—Corporations, income tax deductions, donations same as individuals, pages 209, 398, 591, 707, 895, 1255, 1263
- S 424—Drugs, trafficking, penalties, pages 209, 400, 481
- S 425—Regional Planning and Development Commission, ratification of organization and operation, pages 210, 266, 424
- S 426—Mental Health Department, hospital orderlies granted merit system status, pages 228, 414, 925, 1351
- S 427—Madison County, circuit and district court judgments, filling vacancies, c/a, pages 228, 406, 591, 791, 808
- S 428—Hobson City, corporate limits altered, pages 228, 270, 305, 333, 440, 611, 638, 670, Act no. 85-317
- S 429—Branch Banks, automated tellers, share with other banks, page 229
- S 430—African Development Bank, executors and fiduciaries authorized to invest in, pages 229, 326, 430, 933
- S 431—Dental Examiners Board, dental hygienist added, pages 229, 266, 323
- S 432—Health Department, vaccine purchase, supplemental appropriation, pages 229, 398, 616
- S 433—Conservation and Natural Resources Department, supplemental appropriation, page 229
- S 434—Criminal Law, death, or serious physical injury resulting from one criminal act, constitute separate offenses, page 229
- S 435—Toxic substances, contractors liability, list established, council created to administer, pages 229, 266, 304, 381, 416, 453, 516, 656, 675, 1865, 1899, 1958, Act no. 85-658
- S 436—Mental Health Department, custody of juvenile, discharge procedure, pages 230, 412, 925
- S 437—Branch Banks, automated tellers, share with other banks, pages 247, 325, 373, 767
- S 438—Mental Health Department, special school district, page 247
- S 439—Local Government Capital Improvement Fund, established, appropriation from oil and gas, c/a, page 247
- S 440—Interstate Corrections Compact, established, page 247
- S 441—G. I. and Dependents Educational Benefit Act, recognize spouses, remove delimiting date, pages 247, 416, 599
- S 442—Municipalities, Class 1, governing body, expense allowance, pages 248, 396, 918, 972, 985
- S 443—Birmingham, elected officials, authorized to receive retirement benefits and salary, page 248

- S 444—Birmingham, mayor and city council, time between taking office, meeting of council altered, page 248
- S 445—Birmingham, mayor, compensation, pages 248, 396, 896, 972, 984
- S 446—Jefferson County, County Commission, salary, pages 249, 396, 896, 973, 984
- S 447—Jefferson County, County Commission, authorized to hire additional assistant, page 249
- S 448—Jefferson County, County Commission, expense allowance, page 249
- S 449—Motor Vehicles, uninsured motorist coverage, page 250
- S 450—TVA Exhibit Commission, name altered, members, pages 250, 410, 599, 940, 1286, 1359, 1913, 1954, 1959, Act no. 85-655
- S 451—Retirement Systems, military service credit, pages 250, 326, 516, 975
- S 452—Corrections Department, commissioner appointed from merit system, pages 286, 326, 369
- S 453—Conservation and Natural Resources department, appropriation, pages 286, 326, 369, 769, 804, 852, 1947, 1954, 1959, Act no. 85-651
- S 454—Municipalities, Class 1, public transportation authority, exempt from taxes on gas and oil, pages 286, 325, 366, 452, 649
- S 455—Jefferson County, retirement system, joint survivorship option changed, pages 286, 324, 888, 897, 970, 983
- S 456—Jefferson County, retirement system, benefits changed, pages 286, 324, 682, 785, 808
- S 457—Jefferson County, retirement system, benefits changed, pages 287, 324, 682, 764, 806
- S 458—Psychology, unauthorized practice prohibited, page 287
- S 459—Psychology, Board of Examiners, fees increased, pages 287, 413, 896, 1330, 1330
- S 460—Municipalities, occupational license tax, page 287
- S 461—Veterans Service Medal, established, pages 287, 416, 1280
- S 462—Junior Colleges, teachers authorized to purchase retirement in TRS, pages 287, 399, 616, 936
- S 463—Cahaba Trace Commission, established, pages 288, 406, 481, 985
- S 464—Sales Tax, tools, dies, molds and fixtures, exempt, page 288
- S 465—Senior Citizens, driver's license, fee decreased, pages 288, 326, 369
- S 466—Capital Punishment, location for execution, pages 288, 404, 591
- S 467—Veterans Affairs Board, per diem and travel expense, pages 288, 404, 599
- S 468—Corrections Department, fund increased, pages 288, 550, 616
- S 469—Corrections Department, authorized to contract with private industry, pages 288, 405, 591

- S 470—Interstate Corrections Compact, transfer of prisoners, pages 289, 404, 591
- S 471—Contractors, 7 year statute of limitations on civil actions, page 289
- S 472—Oil and Gas Reports, cloak of secrecy removed, page 289
- S 473—Morgan County, Hartselle, school district taxes, c/a, pages 289, 406, 1004, 1111, 1371, 1425
- S 474—Hunting, daylight hours, defined, pages 289, 407, 468
- S 475—Schools, nurses placed in, education department to administer, page 290
- S 476—Drivers License, duplicate, fees increased, pages 290, 406, 1280
- S 477—Corrections Department, reporting of violations in prisons altered, pages 290, 401, 591, 944, 1114, 1426
- S 478—Corrections Department, Agricultural Revolving Fund, pages 290, 407, 591, 1114, 1426
- S 479—Municipalities, officers who serve on boards of water, sewer, gas or electric systems, fee for services, pages 290, 411, 468, 768, 804, 841
- S 480—Motor Vehicles, driving under influence, blood test by force, page 290
- S 481—Telephone Business, license tax regulated, page 290
- S 482—Child Support, court may require payor to post security or bond, pages 291, 552, 733
- S 483—Contractors, taxes due by 15th of month, page 291
- S 484—Education, boards of, procedure for replacement by mayor and city governing body, page 291
- S 485—Licenses and Renewals, for hydroelectric sellers due in August of each year, page 291
- S 486—Volunteer Fire Departments, use of sirens and lights, pages 291, 411, 592, 734, 968, 1009, 1010
- S 487—Court Reporters, salary for those not covered under merit system, pages 291, 549, 616, 708, 804, 839, 890, 1815, 1841, 1958, Act no. 85-654
- S 488—Insurance Companies, service charge, page 291
- S 489—16th Judicial Circuit, Etowah County, additional circuit judge, family division established, page 291
- S 490—Beer, container size, page 292
- S 491—Employee Suggestion Award Program, amended, pages 292, 397, 592
- S 492—Industrial Development, access roads, public corporations to issue bonds, pages 292, 549, 733, 742, 967, 977, 1002, 1079, 1488, 1682, 1816, Act no. 85-549
- S 493—Big Oak Ranch, Inc., tax exempt, page 292

- S 494—Counties and Municipalities, insurance coverage for retired employees, pages 293, 404, 599
- S 495—Corporations, tax credit for child day care, page 293
- S 496—Banks, finance charge, exclusions to conform to federal banking laws, pages 293, 556, 800, 934
- S 497—State Board of Veterinary Medicine, established, page 293
- S 498—Capital Punishment, murder of plainclothes law enforcement officers, page 293
- S 499—Timber Theft, confiscation of equipment, pages 293, 407, 591, 773, 803, 833
- S 500—Workmen's Compensation, injured worker entitled to treatment, pages 294, 408, 457
- S 501—Secretary of State, Auditor, Treasurer, salary increase, page 294
- S 502—Municipalities, Class 5, alternate form of government, pages 294, 722, 800, 817, 1086
- S 503—Guardian, appointment for developmentally disabled, pages 294, 870, 977, 1371, 1424
- S 504—Revenue Department, authorized to pay appraisers, mappers and tax administrators, pages 294, 404, 1280
- S 505—Local Government Capital Improvement Fund, distribution of oil and gas revenues, pages 313, 397, 481
- S 506—Shelby County, alcoholic beverage licensees, regulated, pages 313, 465, 741, 785, 809, 1171, 1235, 1247, Act no. 85-463
- S 507—Lee County, Court Reporter, compensation, pages 314, 465, 592, 778, 810
- S 508—Lee County, Board of Registrars, compensation, pages 314, 465, 592, 778, 810
- S 509—Tax Assessors and Collectors, supernumerary, salary, pages 314, 406, 468, 934
- S 510—Agricultural Products, buyer, security interest, pages 314, 407
- S 511—State Property, disposition of, pages 314, 410, 592, 764, 804, 846, 1107, 1132, 1247, 1799, 1800, 1902, 1919, 1958, Act no. 85-665
- S 512—Jackson County, Revenue Commissioner-Elect, study duties, pages 314, 397, 472, 664, 665, 1089, 1131, 1247, Act no. 85-480
- S 513—Industrial Development Training Institute, appropriation, page 315
- S 514—Health Care Facility, definition altered, page 315
- S 515—Foundation for Technical Advancement, established, pages 315, 415, 799, 939
- S 516—Transient Merchants, regulations, pages 315, 680
- S 517—Income Tax, single heads of household, exempt, page 315

- S 518—Public Transportation, exempt from gasoline and oil tax, page 315
- S 519—Aircraft Pilots, entitled to same retirement benefits as police officers, pages 315, 722
- S 520—Circuit Courts, judicial notice of all municipal ordinances, page 316
- S 521—Motor Vehicles, municipal sales and use tax on sale of, levy and collection, pages 316, 399, 732, 772, 803, 804, 857, 890
- S 522—Eminent Domain, road right-of-way available to land-locked property widened, pages 316, 411, 468
- S 523—Counties and Municipalities, sale of bonds, page 316
- S 524—Wife Rape, pages 316, 551, 777, 937, 1301
- S 525—Railroad Companies, test employees for drug and alcohol use, pages 344, 881, 1116
- S 526—Jefferson County, alcoholic beverages on Sunday, pages 344, 395, 468, 623, 665
- S 527—Board of Registrars, expense allowance, pages 345, 879
- S 528—Magistrates, Administrative Agency established, child support cases authorized, page 345
- S 529—Uniform Controlled Substances Act, incorporated in criminal code, pages 345, 551, 742
- S 530—Turkey Hunters Hall of Fame, established, pages 346, 633, 930
- S 531—Drugs, offense of continuing enterprise for purpose of trafficking, pages 346, 552, 743, 773
- S 532—Child Abuse, Missing Persons Information Center, established, pages 346, 553, 598, 749, 751, 932, 1342, 1400
- S 533—Schools, report child's absence to parent or guardian, pages 346, 553, 598, 1339
- S 534—Schools, to compile list of missing children, page 346
- S 535—Missing Persons, report to state and federal information centers, page 346
- S 536—Children, assistance in criminal proceedings of those who are victims or witnesses to crime, pages 347, 554, 598, 767, 803, 818, 890
- S 537—Children, testifying in child or sexual abuse cases, safeguards authorized, pages 347, 554, 598, 946
- S 538—Adoption, foster or adoptive parents, criminal history check, pages 347, 554, 598, 708
- S 539—Child Abuse, criminal history check on those who have direct supervision of minors, pages 347, 554, 598, 708, 709, 763
- S 540—Child Abuse, definition to include sexual abuse and exploitation, pages 348, 555, 598, 946
- S 541—Child Abuse, incest, 15 year statute of limitations, pages 348, 555, 598, 1341

- S 542—Child Abuse, sexual abuse offenders, parole procedure, pages 348, 555, 598, 1341
- S 543—Child Abuse, Child Protection Teams, established, pages 348, 555, 598, 1341
- S 544—Child Abuse, missing persons, sharing of information, pages 348, 556, 598, 1340, 1356
- S 545—Child Abuse, protects identity of victims, pages 349, 556, 598, 1340
- S 546—Children's Trust Fund, amount donated to from income tax refund, altered, pages 349, 413, 598, 1340
- S 547—Child Abuse and Neglect Prevention Board, and Children's Trust Fund, duties, pages 349, 413, 598, 1340
- S 548—Securities, registration, examination, fees for dealers and salesmen, transaction exemption, pages 349, 725, 1113
- S 549—Pistol Permits, district attorneys excused from obtaining, pages 349, 725, 1113
- S 550—Montgomery County, draft beer, pages 350, 397, 468, 622, 666, 675, 1890, 1899, 1958
- S 551—Commission on Higher Education, supplemental appropriation, page 350
- S 552—Motor Vehicles, common carriers transporting gasoline, marking of regulated, pages 372, 544, 599
- S 553—Catfish, promotion of, assessment, pages 372, 633, 818, 911, 1086
- S 554—Trust Fund, Board of Trustees, additional members, c/a, pages 372, 550, 616, 777, 1323, 1400
- S 555—Highway Department, supplemental appropriation, pages 388, 549, 743, 1332, 1332, 1890, 1900, 1958, Act no. 85-659
- S 556—Criminal Justice Information Center, remove certain restrictions, pages 389, 545, 743
- S 557—Judicial Retirement System, circuit judges may credit prior service from TRS, pages 389, 868, 959, 1328
- S 558—Pike County, Board of Registrars, meeting days, pages 389, 725
- S 559—Mentally Ill Persons, not to be excluded from residential areas by zoning laws, pages 389, 963, 1116, 1299, 1300, 1360
- S 560—Mentally Retarded Persons, not to be excluded from residential areas by zoning laws, pages 389, 963, 1116
- S 561—Cleburne County, Dynne Creek Watershed Conservancy District, appropriation, page 389
- S 562—Drugs, prescription, pharmacies authorized to accept uncontaminated drugs for return, pages 390, 963
- S 563—Civil Liability, maximum amount parent liable for damage by minor, pages 390, 882

- S 564—Judicial Appellate Nominating Commission, established, c/a, page 390
- S 565—State Agencies, inventory reporting regulated, pages 390, 545, 1116
- S 566—Housing Authority, legislative intent towards senior citizens, pages 390, 870
- S 567—Catfish, promotion of, c/a, pages 390, 633, 732
- S 568—Income Tax Laws, revised, page 391
- S 569—Public Library Service, supplemental appropriation, page 391
- S 570—County Boards of Health, composition, duties, page 391
- S 571—Credit, reporting agencies to furnish individuals copies of their credit report, pages 391, 548, 596
- S 572—Attorneys, fees for representing indigents, page 391
- S 573—Public Library Service, supplemental appropriation for books and materials, page 392
- S 574—Nursing Homes, administrative boards, fee increase, pages 392, 963
- S 575—Educational Employees, payroll deduction for retirement accounts, page 392
- S 576—Judges, re-open retirement system for previous service, pages 392, 680, 732
- S 577—Governor's Education Reform Commission, members, page 392
- S 578—State Property, agencies reporting inventory, personal property changed to increase value and reporting period, pages 392, 545, 894, 1255, 1259, 1369, 1423
- S 579—Traffic Accidents, arrest without warrant, page 392
- S 580—Advisory Council on Children and Youth, established, pages 392, 679
- S 581—Municipalities, incorporation of Downtown Redevelopment Authority, powers & duties, pages 393, 635, 676, 975
- S 582—Commission on Two-Year College High Technology Education, established, pages 394, 634, 720, 773, 804, 889, 931
- S 583—Public Libraries, regulated, page 458
- S 584—Agriculture and Industries Department, supplemental appropriation from Agricultural Fund, reimburse farmers market, pages 458, 549, 616, 749, 751, 777, 804, 888, 927, 1417, 1428, 1441, Act no. 85-636
- S 585—Mobile County, tax collector, compensation, pages 458, 728, 802, 887, 1120, 1128, 1408, 1429, 1441, Act no. 85-635
- S 586—Crime Victim Impact and Allocation Act, provided for, pages 458, 882, 1113
- S 587—Public School Corporation, authorized to borrow money, pages 458, 634, 732, 776, 804, 888, 928

- S 588—Motorcycle Dealer Franchises, regulated, pages 459, 797
- S 589—Advisory Council on Children and Youth, established, pages 459, 679
- S 590—Gifted Children, local laws may allocate teacher units, page 460
- S 591—Barber Examiners Board, licensing, pages 460, 879, 950
- S 592—Safety Belts, wearing of, required in front seat, pages 460, 552, 630
- S 593—Supreme Court, justices' salary increase, pages 460, 552, 613, 945, 1283, 1359
- S 594—Marshall County, coroner expense allowance, pages 460, 676, 732, 785, 813, 1171, 1235, 1247, Act no. 85-464
- S 595—Hunter Education, Conservation and Natural Resources Department to implement, pages 460, 961, 1113
- S 596—Motor Vehicles, certificate of title modified, page 461
- S 597—Municipal Corporations, validation of certain incorporations invalidated by irregularities, page 461
- S 598—Competitive Bid Contracts, exempt from use and sales tax, page 461
- S 599—Jefferson County, constables, fees increased, pages 461, 552, 733
- S 600—Lowndes County, beer tax, pages 461, 677, 719, 785, 813, 1089, 1131, 1247, Act no. 85-483
- S 601—Greene County, redistrict County Commission and Board of Education, pages 462, 677, 719, 784, 814, 1089, 1131, 1247, Act no. 85-485
- S 602—Lowndes County, Superintendent of Education, appointed by County Commission authorized, pages 462, 677, 719, 784, 814, 1090, 1131, 1247, Act no. 85-481
- S 603—Lowndes County, redistrict County Commission and Board of Education, pages 462, 677, 719, 784, 815, 1090, 1131, 1247, Act no. 85-487
- S 604—Perry County, redistrict County Commission and Board of Education, pages 462, 678, 719, 784, 817, 1090, 1131, 1247, Act no. 85-486
- S 605—Probate Judges, fees for copies of instruments, pages 463, 631, 720, 749, 752, 774, 1327
- S 606—Oil and Gas, enhanced recovery project, privilege tax levied, pages 556, 723, 801
- S 607—Shelby County, election of planning commission, pages 557, 677, 741, 783, 815, 1171, 1235, 1247, Act no. 85-465
- S 608—Felons, multiple offenses to be construed as one offense, pages 557, 882
- S 609—13th Judicial Circuit, Mobile County, magistrates office, duties, pages 557, 729, 802, 887, 904, 1408, 1428, 1441
- S 610—Rescue Squads, distinctive license plates, pages 557, 722, 1277

- S 611—Agricultural Machinery, lease or rental, tax rate, page 557
- S 612—Highways, state and local agencies prohibited from purchasing material from foreign governments, page 558
- S 613—Health Care, certificate of need, bed conversion, pages 558, 681, 718, 941, 1325, 1400
- S 614—Cullman County, circuit court clerk, salary, pages 558, 677, 718, 730, 783, 815, 1329, 1427, 1441, Act no. 85-643
- S 615—Board of Registrars, meeting days, pages 558, 722, 800, 938
- S 616—Money Judgments, interest rate, pages 558, 726, 800
- S 617—Animal Seizure Office, established, pages 558, 962
- S 618—Regional Planning and Development Commissions, ratification of, page 558
- S 619—Fair Trail Tax, payment of, page 559
- S 620—Highway Director, administer public transportation programs, page 559
- S 621—United Methodist Service Center, Inc., tax exempt, page 559
- S 622—Baldwin County, County Commission, term altered, pages 613, 677, 730, 783, 816, 956, 1322
- S 623—Montgomery County, Probate Judge, compensation, pages 613, 870, 1001, 1264
- S 624—Fishing, prohibited on lakes or ponds without owners permission, trespass penalties, pages 613, 961
- S 625—Criminal Sentences, 10 years or less, mandatory time of incarceration, page 614
- S 626—Debts Owed State, set-off collection procedure, pages 614, 797
- S 627—Circuit Court, appeals from district court dismissed when defendant fails to appear, page 614
- S 628—Mosses, Lowndes County, corporate limits altered, pages 614, 677, 719, 783, 816, 1090, 1132, 1247, Act no. 85-482
- S 629—Electrical Contractors Board, established, pages 614, 679, 733, 810, 967, 1004, 1005
- S 630—Municipalities and Counties, regulation of private 'for hire' motor vehicles, pages 614, 881, 1233
- S 631—Real Property, foreign developers and investors, 3 year buy-back agreement, page 615
- S 632—Head Start Programs, tax exempt, page 615
- S 633—Sumter County, redistrict County Commission and Board of Education, pages 615, 677, 719, 782, 817, 1090, 1132, 1247, Act no. 85-488
- S 634—Motor Vehicles, dismantlers, 2 additional categories regulated, page 615

- S 635—Hospitals, certificate of need, 2 year moratorium, page 615
- S 636—Wilcox County, redistrict County Commission and Board of Education, pages 628, 678, 801, 887, 903, 1329, 1427, 1441, Act no. 85-523
- S 637—Auburn University Police, powers, pages 628, 882, 950, 1333, 1333, 1435, 1444, 1527, Act no. 85-632
- S 638—Historical Preservation, establish 'Africatown USA National Park' in Prichard, pages 628, 721, 802, 944, 1322, 1360
- S 639—Jefferson County, tax assessor's office, additional compensation, page 628
- S 640—Elections Results, reported to Secretary of State with precinct totals, pages 629, 723, 895, 895, 938, 1255, 1260, 1275
- S 641—Montgomery County, circuit judges, supplemental salary, pages 629, 679, 801, 885, 904, 1890, 1900, 1958, Act no. 85-660
- S 642—Chambers County, artificial light to locate game, prohibited, pages 629, 679, 1342
- S 643—Winston County, tobacco tax increase, pages 629, 728, 801, 885, 904, 1329, 1427, 1441, Act no. 85-640
- S 644—Absentee Voting, time for applying altered, pages 629, 722, 799
- S 645—Airports, landing fee on aircraft, page 630
- S 646—Jefferson County, governing body of Birmingham authorized to create business development districts, c/a, pages 630, 879, 950
- S 647—Flood Control Authority, established, pages 630, 879, 956
- S 648—Revenue Raising Bills, two-thirds vote required, c/a, page 630
- S 649—6th Judicial Circuit, Tuscaloosa County, circuit judges, compensation, pages 672, 728, 799, 944, 1000, 1077, 1891, 1919, 1958, Act no. 85-664
- S 650—Public School and College Authority to issue bonds for educational purposes, page 711
- S 651—Mobile County, election officers, salary altered, page 711
- S 652—Auburn University, appropriation for archaeological excavation in Elmore County, pages 711, 868, 959
- S 653—Retirement Systems, prohibited from investing in South Africa and Namibia and 3 year divestment, page 712
- S 654—15th Judicial Circuit, Montgomery County, grand jury reporters, fees and benefits, pages 712, 882, 1001, 1301
- S 655—State Property, trade-in of machines and equipment by Economic and Community Affairs, pages 712, 869, 1280
- S 656—Sumter County, storage of hazardous and nonhazardous wastes, North Sumter County Development Authority established, pages 712, 797, 912, 973, 987
- S 657—Landlord-Tenant Rights, defined, page 712

- S 658—Law Enforcement Officers, subsistence allowance, investigators who work for district attorneys included, pages 712, 869, 1280
- S 659—Aviation Fuel Tax, page 713
- S 660—Ohatchee, corporate limits altered, pages 713, 797, 896, 973, 988, 1360, 1428, 1441, Act no. 85-641
- S 661—Game and Fish, hunters and catchers donate parts of game to nonprofit corporation, pages 713, 961
- S 662—Birmingham, corporate limits altered, pages 713, 966, 1257
- S 663—Highway Department, erect marker on U. S. Highway 80 where Viola Luizzo was killed, page 713
- S 664—Madison County, Board of Registrars, County Commission authorized to increase compensation, pages 714, 870
- S 665—Circuit Judges, retired, additional benefits and compensation, page 714
- S 666—Huntsville, single member districts for County Commission, election and procedure, pages 714, 798, 918, 973, 990
- S 667—Teachers, testing of competency, page 714
- S 668—Commercial Development Authority to promote trade and commerce in Class 1, 2, 3, to include 7 and 8, pages 714, 869, 1113
- S 669—District Attorneys, investigators granted law enforcement powers, pages 715, 869, 1280
- S 670—Oxford, corporate limits altered, pages 715, 798, 896, 974, 989
- S 671—Chop Shops, defined, pages 715, 883
- S 672—Uniform Certificate of Title and Antitheft Act, regulated, pages 715, 869, 1280, 1290, 1290, 1400, 1930, 1955, 1959, Act no. 85-650
- S 673—Supreme Court, appellate, civil and district judges, nonpartisan election, page 715
- S 674—Jefferson County, reidentification of electors, repealed, pages 716, 966
- S 675—District Attorney Investigators, minimum qualifications, law enforcement powers conferred, page 716
- S 676—District Attorney Investigators, paid same subsistence allowance as law enforcement officers, pages 716, 869
- S 677—County Commission, authorized to tax school districts within county, pages 716, 869, 1327
- S 678—Circuit Courts, held in penal institutions under certain circumstances, pages 716, 870, 1113
- S 679—Tarrant, corporate limits altered, referendum, page 717
- S 680—Colbert County, Shoals Development Authority, established, c/a, pages 787, 871, 949, 969, 995, 1076, 1330, 1427, 1441, Act no. 85-460

- S 681—Lauderdale County, Shoals Development Authority, established, c/a, pages 787, 871, 948, 969, 991, 1079, 1408, 1429, 1441, Act no. 85-461
- S 682—Retirement Systems, reopening TRS for certain members, prior service credit, page 787
- S 683—Probate Judges, cost-of-living increase to spouses, page 787
- S 684—County Commissions, supernumerary qualifications and duties, page 788
- S 685—Teachers, give sick leave days to spouse if both are tenured, page 788
- S 686—Municipalities, located in two counties, annexation procedure, page 788
- S 687—Crime Victim Compensation Commission, new definitions, page 788
- S 688—Fish, Game and Wildlife, importing game into state, pages 788, 961
- S 689—Employees, continued participation in ERS upon transfer, page 789
- S 690—Public Safety Department, Board of Adjustment to hear claims, appropriation, pages 789, 870, 950, 1281, 1348, 1400
- S 691—Coffee County, County Commission, expense allowance, pages 789, 871, 925, 970, 991, 1330, 1428, 1441, Act no. 85-639
- S 692—Home Health Care, private duty, hospice licensing regulated, page 789
- S 693—Child Custody, crime of interference to include parent snatching kid from other parent, page 789
- S 694—Sailboaters and Wind Surfers, exempt from flotation devices, pages 790, 961, 1233
- S 695—Bear Creek, corporate limits altered, pages 790, 872, 1290, 1349, 1350, 1435, 1444, 1527, Act no. 85-514
- S 696—Birmingham Stallions Football Team, tax exempt, pages 790, 878, 1279, 1350, 1350
- S 697—Shelby County, application of chemical substances by aircraft, pages 863, 965, 1277
- S 698—Mobile County, substitution of Mardi Gras Day in place of Thomas Jefferson's birthday, page 863
- S 699—Prisoners, prohibited from serving in county jails, page 863
- S 700—Veterans, disabled, distinctive license plates, page 864
- S 701—Governor, widow pension provided, page 864
- S 702—Etowah County, County Commission powers regarding administration and financial affairs, pages 864, 965, 1366
- S 703—DeKalb County, additional tobacco tax, pages 864, 965, 1135
- S 704—Attorney General, executive assistant, salary, pages 865-964

- S 705—Gulf Shores, corporate limits altered, pages 955, 1085, 1257, 1288, 1289, 1435, 1445, 1527, Act no. 85-633
- S 706—Baldwin County, corporate limits altered, pages 955, 1085, 1257, 1288, 1289, 1435, 1445, 1527, Act no. 85-634
- S 707—Calhoun County, officials compensation, pages 955, 1085, 1265, 1289, 1339, 1679, 1795, 1816, Act no. 85-629
- S 708—Etowah County, County Commission to finance Veterans Memorial, pages 956, 1085, 1366
- S 709—Class 2, municipalities, adopt mayor-council government, page 1081
- S 710—16th Judicial Circuit, Etowah County, circuit clerk, compensation altered, pages 1081, 1254
- S 711—Judicial Retirement System, officers allowed credit for time spent in federal judiciary service, page 1082
- S 712—Transportation Companies, inspection and supervision fees, page 1082
- S 713—Lowndes County, appointment of clerks for probate judge, repealed, pages 1082, 1254
- S 714—Unemployment Compensation, employer surcharge and termination of contributions defined, page 1082
- S 715—State Agencies, to provide workmen's compensation on pro rata basis, page 1083
- S 716—Public Safety Department, minimum arresting officer manpower requirements, page 1083
- S 717—Franklin County, tax assessor authorized to levy fees, pages 1083, 1254
- S 718—Marion County, filing of criminal court records, pages 1083, 1254
- S 719—Environmental Management Department, further regulated, page 1083
- S 720—Cleburne County, Heflin Downtown Development Authority, established, page 1252
- S 721—Etowah County, tax assessor, motor vehicle licensing division, established, page 1368
- S 722—Transportation Companies, subject to Public Service Commission control, re-defined, page 1856

JOURNAL OF THE SENATE 1985
NUMERICAL AND SHORT TITLE INDEX
HOUSE BILLS

- H 2—Motor Vehicles, parking in handicapped place without decal, pages 1364, 1746, 1759, 1922, 1923, 1924, 1926, 1927, 1950
- H 3—Etowah County, election of school board members by voters of school district, pages 275, 1759, 1767, 1833, 1854, 1896, 1908, Act no. 85-690
- H 6—Alcoholic Beverages, age raised to 21, pages 198, 403, 484, 676, 676, 764, 803, 822, 852, 1405, 1406, 1801, 1911, 1940, Act no. 85-687
- H 23—Jefferson County, school buses authorized to serve students residing within two miles of school, page 140
- H 28—City Boards of Education, include municipalities in which colleges are located, pages 306, 552, 1137, 1922, 1923, 1924, 1926, 1927, 1951
- H 34—Motor Vehicles, cycle operators licensed after competent operation of, pages 1419, 1746, 1760, 1922, 1923, 1924, 1925, 1927, 1939, 1941, 1955
- H 40—Municipal Ordinances, bail of persons charged under, judgments and appeals, pages 693, 726
- H 42—Washington County, Office of Constable, abolished, pages 140, 174, 262, 333, 440, 463, Act no. 85-276
- H 43—Clarke County, Office of Constable, abolished, pages 140, 175, 262, 333, 441, 463, Act no. 85-275
- H 51—Jefferson County, notification of ad valorem tax increase by mail, page 792
- H 58—Forest Products, severance at an increased tax rate, pages 493, 549, 732, 933, 1808, 1809, 1848, Act no. 85-700
- H 59—Forest Fire, assessment for fire protection, c/a, pages 1363, 1759, 1769, 1922, 1923, 1924, 1926, 1927, 1950
- H 60—Forest Lands, fire protection, finance charge assessed, pages 1365, 1759, 1767, 1922, 1923, 1924, 1926, 1927, 1950
- H 64—G.I. and Dependents Educational Benefit Act, recognize spouses, remove delimiting date, pages 957, 1759, 1769, 1886, 1899, 1918, Act no. 85-758
- H 70—State Committee of Public Health, per diem and mileage, pages 308, 413, 732, 1886, 1897
- H 72—State Docks, Cordova-Walker, Florence-Lauderdale, and Decatur-Morgan, conveyances, pages 198, 632, 1886, 1899, 1901, 1918, Act no. 85-646
- H 75—Bestiality, criminal penalties provided, pages 515, 727

- H 78—State Black Archives, Research Center and Museum at Alabama Agricultural and Mechanical University, pages 957, 1698, 1760
- H 85—Troy, corporate limits altered, pages 119, 147, 1170, 1732, 1733, 1774, Act no. 85-590
- H 86—Child Labor Law, hours regulated, page 1418
- H 87—Troy State University, commemorative tags, pages 505, 544, 599, 768, 804, 844, 913, Act no. 85-411
- H 88—Wheat and Feed Grains, promotion, distribution and marketing, c/a, pages 467, 961, 1113, 1114, 1426, 1523, 1807, 1808, 1849, Act no. 85-575
- H 89—Wheat and Feed Grains, distribution and marketing, pages 467, 962, 1114, 1116, 1426, 1522, 1806, 1807, 1848, Act no. 701
- H 90—Income Tax, Pensions and Security to withhold refunds for debts, pages 1438, 1746, 1760
- H 95—Dentists and Hygienists, practice of, pages 514, 553, 645, 933, 1302, 1815, 1847, Act no. 85-697
- H 99—Colbert County, beer and wine sales, pages 193, 466, 733, 782, 810, 846, Act no. 85-388
- H 102—Municipal Ordinances, adoption of like ordinances by ordinance or reference, pages 1363, 1746, 1760
- H 107—Tallapoosa County, Board of Registrars, meeting days, compensation, pages 140, 175, 218, 334, 441, 463, Act no. 85-274
- H 109—Tallapoosa County, procedures for selling and redeeming land for taxes, pages 140, 175, 218, 334, 441, 464, Act no. 85-273
- H 112—Municipalities, officers and employees of, health and accident self-insurance groups, authorized, pages 699, 964, 1281
- H 114—Electric Suppliers, territorial bill, electrical utilities, pages 231, 544, 599, 684, 706, 1667, 1668, 1739, 1743, 1745, 1775, Act no. 645
- H 115—Endowment Fund for Eminent Scholars, appropriation, pages 684, 1085, 1886, 1897, 1909, 1918, Act no. 85-759
- H 116—Administrative Procedure Act, amended, pages 693, 880
- H 117—State Personnel Department, filling vacancies in service, pages 309, 405, 468, 1346, 1346, 1407, Act no. 85-459
- H 125—Mobile County, bingo authorized at any location in county, pages 187, 300, 981, 1116, 1120, 1135, Act no. 85-462
- H 127—Atmore, corporate limits altered, pages 120, 147, 925, 970, 979, 1075, Act no. 85-438
- H 128—Escambia County, Office of Constable, abolished, pages 141, 798, 925, 970, 1702, 1744, Act no. 85-526
- H 130—Madison County, Board of Registrars, compensation, page 1102
- H 136—13th Judicial Circuit, Mobile County, recording of all orders and decrees of judges, pages 192, 301, 1817, 1857, Act no. 85-704

- H 138—Satsuma, corporate limits altered, page 1099
- H 146—Hospitals, operated by state exempt from bid law, pages 514, 632, 682, 937, 1280, 1795, 1882, 1908, Act no. 85-689
- H 148—Speech Pathology, Board of Examiners, Sunset Law modified, pages 331, 405, 512, 561, 562, 753, 754, Act no. 85-361
- H 149—Nursing Home Administrators, Board of Examiners, Sunset Law, continued, pages 331, 405, 512, 562, 564, 570, Act no. 85-283
- H 151—Dental Examiners, Board of, Sunset Law, continued, pages 507, 603, 605, 628, 659, 659, 749, 754, Act no. 85-360
- H 152—Nursing, Board of, Sunset Law, continued, pages 486, 545, 596, 603, 617, 642, Act no. 85-332
- H 153—Optometry, Board of, Sunset Law, continued, pages 487, 546, 596, 605, 617, 642, Act no. 85-333
- H 154—Physical Therapy, Board of, Sunset Law, modified, pages 487, 546, 597, 606, 618, 642, Act no. 85-334
- H 155—Chiropractic Examiners, Board of, Sunset Law, continued, pages 506, 546, 597, 607, 618, 795, 1753, 1805, Act no. 85-613
- H 156—Pharmacy, Board of, Sunset Law, continued, pages 487, 546, 597, 611, 620, 642, Act no. 85-335
- H 157—Podiatry, Board of, Sunset Law, modified, pages 508, 546, 597, 611, 620, 750, 754, Act no. 85-359
- H 158—Veterinary Medical Examiners, Board of, Sunset Law, modified, pages 487, 547, 597, 612, 621, 642, Act no. 85-336
- H 159—Hearing Aid Dealers, Board of, Sunset Law, modified, pages 487, 547, 597, 612, 621, 643, Act no. 85-337
- H 163—Motor Vehicles, uniform certificate of title, pages 166, 297, 645, 1836, 1858, 1922, 1923, 1924, 1926, 1927, Act no. 85-705
- H 164—Medical Examiners and Medical Licensure Commission, Board of, Sunset Law, modified, pages 487, 547, 597, 612, 622, 643, Act no. 85-338
- H 165—Randolph County, county unit system of road maintenance, referendum, pages 141, 175, 430, 451, 667, 673, Act no. 85-343
- H 166—Randolph County, offices of tax collector and tax assessor abolished, revenue commissioner established, compensation, pages 136, 872, 977, 1116, 1122, 1135, 1366, Act no. 85-466
- H 168—Randolph County, Judge of Probate, compensation, c/a, pages 121, 211, 430, 1708, 1709, 1747, Act no. 85-522
- H 175—Mobile county, Personnel Board, Supervisory Committee, members further provided for, pages 187, 301, 318, 351
- H 176—Mobile, City of, firemen and policemen pension system, altered, pages 189, 301, 318, 352, 385, 624, 625, Act no. 85-312
- H 177—Mobile County, License Commissioner, established branch office in Citronelle, page 490

- H 178—Mobile County, subdivision development, County Commission to issue rules, pages 194, 301, 318, 352, 980, 1172, 1234, Act no. 85-489
- H 179—13th Judicial Circuit, Mobile County, bailiffs, compensation, pages 496, 729, 802, 1738, 1738, 1772, Act no. 85-581
- H 180—Citronelle, oil and gas tax proceeds, distributed, board established, pages 189, 302, 318, 352, 983, 1172, 1234, Act no. 85-490
- H 182—Mobile County, oil and gas severance tax, distribution, page 192
- H 183—Swine Diseases, eradication and control, conditional appropriation, pages 1413, 1759, 1769
- H 184—Mobile County, certain recreational facilities of non-profit corporations exempt from ad valorem taxes, pages 188, 302, 318, 352, 645, 753, 754, Act no. 85-362
- H 185—Mobile County, ad valorem tax, mosquito, rodent and other vector control exemptions, pages 188, 729, 802, 885, 905, 1171, 1234, Act no. 85-491
- H 187—Mobile County, Dauphin Island, use of red clay prohibited, pages 188, 302, 318, 353, 646, 652, Act no. 85-339
- H 188—Mobile County, Solid Waste Management Advisory Board, increase in membership, page 188
- H 189—Mobile County, warehouses, leasing by County Commission, competitive bids required, page 490
- H 190—Mobile County, county governing body required to pay from general fund expense of relocating water lines, pages 493, 729, 802
- H 191—Stockholders, names and shares listed in County Commission meetings 30 days prior to approval of sale of real estate, page 191
- H 192—Mobile County, polling places, hours regulated, pages 191, 302, 318, 353, 647, 753, 755, Act no. 85-363
- H 194—Pharmacists, license fee increase, pages 467, 548, 596, 945, 955, 1370, 1424, 1521, 1802, 1848, Act no. 85-702
- H 196—Pharmacy, State Board of, judicial review of order, governed by Administrative Procedure Act, pages 1415, 1758, 1765
- H 199—Child Support, assignment to Pensions and Security Department for foster care, pages 1435, 1760
- H 204—State employees, moving expenses, reimbursement, pages 1418, 1680, 1760
- H 208—Mobile, city of, pension and relief system for policemen and firemen, pages 190, 302, 318, 353, 386, 425, Act no. 85-230
- H 210—Prichard, City of, filling vacancy, office of mayor, pages 190, 303, 318, 353, 648
- H 211—Mobile, pension system for retired police and firemen, benefits adjusted, pages 190, 303, 318, 354, 425, Act no. 85-231

- H 212—Mobile County, filling vacancies on County Commission, pages 190, 303, 318, 354, 648
- H 214—Cities of certain populations, new council form of government created, pages 690, 722, 1366
- H 220—Civil Procedure, pro tanto releases or discharges in writing which reserve claimant's right to proceed against others, pages 690, 727, 932, 1287, 1288, 1321, Act no. 85-517
- H 233—Fultondale, corporate limits altered, pages 210, 324, 431, 451, 649, 652, Act no. 85-341
- H 235—Birmingham, corporate limits altered, pages 211, 324, 430, 451, 648, 652, Act no. 85-342
- H 247—Probate Judges, bond required, pages 1436, 1761
- H 252—Cahaba River, environment protection, penalties, pages 507, 632
- H 266—Hazardous Waste Ownership, Alabama right-to-know law, page 1418
- H 268—Branch Banks, automated tellers, pages 307, 409, 457, 766, 804, 888, 923, 930, Act no. 85-364
- H 269—Probate Judges, former, authorized to perform marriage ceremony, pages 497, 727
- H 273—Conservation Department, state land resources information center, established, pages 494, 725, 896
- H 275—Telephone Call Boxes, certain highways, authorized, pages 513, 881, 1922, 1923, 1924, 1926, 1927, 1951, 1956
- H 276—National Guard, additional educational benefits, pages 1417, 1746, 1761
- H 280—Hazardous Waste, storage facilities and disposal sites monitored by Department of Environmental Management, pages 515, 963, 1886, 1888, 1890, 1903, 1916, Act no. 85-751
- H 285—Computer Crime Act, penalties, pages 306, 680
- H 288—Oil and Gas, privilege tax on production, pages 1246, 1505, 1922, 1923, 1924, 1926, 1927
- H 290—Oil and Gas Board, powers and duties altered, pages 1436, 1518, 1922, 1923, 1924, 1926, 1927
- H 297—Teachers, mandatory retirement, exceptions, pages 121, 212, 228, 260, 322, 323, 327, 332, Act no. 85-208
- H 301—Primary Elections, date altered, pages 142, 297, 598, 601, 602, 650, 650, 652, 653, 654, 746, 793, 819, Act no. 85-389
- H 304—Newspapers, charge for legal notice advertising the current published commercial classified advertising rate, pages 1365, 1746, 1761, 1922, 1923, 1924, 1925, 1927, 1949
- H 309—Montgomery County Commissioners, additional expense allowance, pages 195, 212, 1679, 1680, 1741, Act no. 85-550
- H 311—10th Judicial Circuit, Jefferson County, district judge, compensation, pages 191, 325, 430, 450, 809, 1742, Act no. 85-647

- H 315—Limestone County, County Commissioners work full-time, pages 186, 212, 241, 354, 442, 464, Act no. 85-272
- H 327—Real Estate Commission, numerous code sections amended, pages 306, 414, 1260, 1837, 1863, 1915, Act no. 85-750
- H 331—Education Budget, pages 590, 796, 1014, 1014, 1077, 1130, 1132, 1172, 1233, 1235, 1236, 1247, 1248, 1265, 1271, 1406, 1406, Act no. 85-516
- H 332—General Fund Budget, pages 1107, 1505, 1537, 1538, 1643, 1798, 1798, Act no. 85-539
- H 334—Blount County, County Commission serve full-time, pages 142, 678, 1705, 1705, 1747, Act no. 85-620
- H 339—Auburn Downtown Development Authority, established, pages 143, 175, 216, 225, 225, 244, Act no. 85-185
- H 340—Covington County, coroner, compensation, pages 142, 176, 925, 971, 979, 1075, Act no. 85-439
- H 342—State Parks Revolving Fund, portion of receipts pledged for certain uses, page 534
- H 344—U.S.S. Alabama Battleship Commission, power to contract limited, pages 692, 725, 976, 976, 1339, 1370, 1424, 1522, 1803, 1849, Act no. 85-703
- H 345—Barbour County, draft beer authorized, pages 143, 176, 240, 260, 277, 279, 312, Act no. 85-200
- H 358—Arson, further defined, pages 514, 727
- H 361—Walker County Junior College, appropriation, pages 590, 1506, 1537, 1643, 1654, 1656, 1806, 1847
- H 372—Veteran's, organization commanders, authorized receive license plates, tax exempt, pages 1437, 1759, 1768
- H 385—State Property, annual inventory, pages 309, 545
- H 400—Youthful Offenders, once tried as an adult, always tried as an adult, pages 689, 883, 1361
- H 408—Excel, corporate limits altered, pages 186, 212, 305, 354, 442, 464, Act no. 85-271
- H 412—Tallapoosa County, Board of Registrars, meeting days altered, pages 187, 212, 263, 1684, 1684, 1744, Act no. 85-527
- H 416—Employees and Teachers, retired, cost-of-living increase, pages 1413, 1521, 1922, 1923, 1924, 1926, 1927
- H 421—Montgomery County, local laws to be published in newspaper in city of Montgomery, pages 194, 1513, 1682, 1683, 1740, Act no. 85-567
- H 430—Municipal Corporations, validation of certain incorporations invalidated by irregularities, pages 691, 1680, 1761
- H 431—Bessemer, mayor-council form of government, page 958

- H 435—Peace Officers Annuity and Benefit Fund, disability, new members prohibited from purchasing prior service, pages 1437, 1520
- H 437—Mobile County, Board of Registrars, meeting days altered, pages 193, 729, 802, 886, 906, 1171, 1234, Act no. 85-492
- H 438—Mobile County, Board of Education, duties and powers defined, page 1241
- H 439—Mobile County, County Commission, residency required for candidates, pages 193, 303, 318, 355, 648, 652, Act no. 85-340
- H 440—Mobile County, Board of Registrars authorized to meet certain extra days retroactive to May 1, 1982, pages 193, 730, 802, 969, 987, 1080, Act no. 85-494
- H 442—Mobile County, Board of Registrars, volunteer deputy registrars authorized, appointment, page 194
- H 447—Teachers Retirement System, member benefits to surviving spouse changed, pages 699, 1506
- H 450—Corrections Institution Finance Authority, sale of bonds regulated, pages 264, 326, 429, 945, 955, 1370, 1424, 1522, 1802, 1849
- H 451—Oysters, sacking and tagging, regulated, pages 690, 962
- H 452—Talladega College, appropriation, pages 689, 1506, 1537, 1643, 1655, 1661, 1805, 1847
- H 453—Lyman Ward Military Academy, appropriation, pages 689, 1506, 1537, 1643, 1655, 1657, 1806, 1847
- H 456—Elections, alternative place of holding, designated by County Commission, pages 1365, 1680, 1761
- H 457—Onsite Disposal Systems, regulated prior to subdivision being approved, page 1239
- H 461—Writ of Habeas Corpus, granted without delay, exceptions, pages 690, 884, 1922, 1923, 1924, 1926, 1927
- H 462—Marion Military Institute, appropriation, pages 689, 1506, 1537, 1643, 1655, 1659, 1806, 1847
- H 463—Good Hope, corporate limits altered, pages 271, 466, 893, 971, 1075, Act no. 85-440
- H 464—Good Hope, corporate limits altered, pages 271, 798, 893, 971, 988, 1080, Act no. 85-495
- H 466—Motor Vehicles, light cast on real property at night, unlawful, pages 510, 962, 1111
- H 467—Foreclosure Sales, notice of, counties with no newspaper, pages 305, 551
- H 468—Voting, Deputy Registrar, required be at courthouse during official hours, Board of Registrars required to be open certain time prior to election deadline, pages 705, 883, 960
- H 471—Tuskegee Institute, appropriation, pages 692, 1506, 1537, 1643, 1655, 1660, 1806, 1847

- H 475—Workmen's Compensation Law, changed to Alabama Workers Compensation Law, pages 308, 405, 903
- H 476—Safety Belts, wearing of required in front seat, pages 847, 964, 1170, 1925
- H 479—Jefferson County, office space in criminal justice building, authorized for certain personnel in sheriff's department, page 1362
- H 482—Ice and Snow Damage, appropriation to certain counties in northern Alabama, pages 307, 398, 571, 616, 764
- H 483—Motor Vehicle, length and width regulated on highway, pages 953, 1759, 1768, 1922, 1923, 1924, 1926, 1927
- H 487—Congress of Parents and Teachers, authorized to join teachers retirement system, pages 687, 725
- H 489—Industrial Relations Department, Law Enforcement Officers authorized to keep badges and pistols upon retirement, pages 1366, 1680, 1761, 1922, 1923, 1924, 1925, 1927, 1948
- H 490—District Court Judges, salary regulated, pages 688, 727, 893, 935, 1925
- H 496—Mobile County, tax assessor, salary provided further, pages 509, 730, 802, 1714, 1714, 1747, Act no. 85-619
- H 514—Ad Valorem Tax, homestead exemption for elderly, pages 1415, 1698, 1761
- H 516—Deaf and Blind Institute, adopt written educational policies, page 1107
- H 521—Alabama A & M University, Board of Trustees, meetings, quorum altered, pages 699, 1759, 1769
- H 524—Athletic Events, exempt from gross receipts tax, pages 686, 1505
- H 526—Municipalities, Class 2, new city government established, pages 271, 303, 317, 381, 381, 385, 419, Act no. 85-229
- H 531—Sales Tax, various definitions altered, pages 1416, 1698, 1761, 1923, 1925, 1927
- H 532—Hazardous Wastes, transporting through tunnels prohibited, pages 1440, 1759, 1768
- H 537—Russell County, Motor Vehicle License Department established, pages 274, 466, 571, 623, 667, 673, Act no. 85-345
- H 538—26th Judicial Circuit, Russell County, circuit court filed orders regulated, pages 272, 466, 571, 623, 668, 674, Act no. 85-344
- H 539—Russell County, sales and use tax levied in certain areas, pages 272, 548, 682, 786, 812, 846, Act no. 85-387
- H 540—Russell County, sales tax levied, distribution of proceeds, pages 272, 548, 682, 786, 812, 847, Act no. 85-386
- H 541—Russell County, office of constable abolished, page 273

- H 542—District Attorneys, investigators for, subsistence allowance, pages 1441, 1520, 1886, 1893, 1916, 1922, 1923, 1924, 1926, 1927, Act no. 85-754
- H 544—Teachers, incentive pay plan, Plan for Excellence, pages 426, 680, 800, 913, 917, 1371, 1401, 1405, 1420, 1421, 1426, 1429, 1430, 1441, 1442, 1444, 1445, 1446, 1448, 1465, 1466, 1467, 1468, 1469, 1484, 1485, 1486, 1523, 1527, 1529, 1678, 1788, 1788, Act no. 85-541
- H 546—20th Judicial Circuit, Houston County, circuit clerk keep court orders and judgments in minute books, pages 273, 872, 1818, 1858, Act no. 85-706
- H 547—20th Judicial Circuit, Houston County, not guilty plea prior to arraignment waives right to arraignment, pages 273, 872, 1818, 1858, Act no. 85-736
- H 549—Henry County, Superintendent of Education, compensation, pages 273, 466, 616, 764, 775, 811, 847, Act no. 85-385
- H 554—Madison County, judicial appointment commission, composition altered, page 1098
- H 555—Coosa County, recordation fee, pages 502, 872, 1692, 1692, 1774, Act no. 85-593
- H 556—Geneva, corporate limits altered, pages 274, 466, 616, 775, 811, 1172, 1234, Act no. 85-493
- H 557—Elections, procedures for special elections to fill vacancies in legislature, pages 687, 879, 1922, 1923, 1924, 1926, 1927
- H 562—Etowah County, County Commission, additional expense allowance, pages 484, 1513, 1697, 1698, 1770, Act no. 85-595
- H 569—Indian Affairs Commission, members to include Cherokees of Jackson County, pages 1420, 1680, 1762, 1924
- H 570—Walker County, County Commission, required meetings altered, pages 485, 1511, 1725, 1726, 1770, Act no. 85-602
- H 571—Walker County, County Commission, expense allowance, pages 485, 1513, 1727, 1727, 1771, Act no. 85-603
- H 572—Walker County, clerk-hire allowance for county officers, pages 485, 1511, 1726, 1727, 1771, Act no. 85-604
- H 573—Walker County, sheriff expense allowance, page 485
- H 574—St. Clair County, County Commission, probate judge to be chairman, referendum, pages 485, 872, 1113, 1723, 1723, 1771, Act no. 85-605
- H 577—Electrical Contractors, Board of, established, pages 1415, 1703, 1762
- H 578—Industrial Development Boards, county officer or employee serve as director rather than judge of probate, page 957
- H 579—Lawrence County, election officials compensation altered, pages 486, 965, 1111, 1824, 1858, Act no. 85-737

- H 580—Lawrence County, Board of Registrars, additional compensation authorized, pages 486, 965, 1111, 1824, 1858, Act no. 85-707
- H 581—Lawrence County, sheriff exclusive control of pistol permit fee, pages 499, 872, 1819, 1858, Act no. 85-708
- H 582—North Courtland, corporate limits altered, page 501
- H 583—Municipalities, public water entities prohibited from acquiring or duplicating certain water systems, pages 1440, 1759, 1768
- H 587—Contractors, 7 year statute of limitations on civil actions, page 1419
- H 590—Water Pollution Control Grant Fund, created, pages 590, 964, 1111, 1886, 1888, 1916, Act no. 85-755
- H 600—Alabama Manufactured Housing Commission, created, pages 699, 724, 800, 946, 1113, 1425, 1522, 1803, 1907, 1908, Act no. 85-691
- H 602—Forestry Commission, supplemental appropriation, pages 507, 550, 732, 935, 1808, 1809, 1849, Act no. 85-696
- H 603—Indian Affairs Commission, members to include the Ma-Chis Lower Creek Indian Tribe, pages 510, 632, 801, 1808, 1886, 1886, 1903, 1916, Act no. 85-738
- H 604—Pike County, Board of Registrars, meeting days altered, pages 1098, 1513, 1733, 1733, 1774, Act no. 85-591
- H 606—Wreckers, exempt from Public Service Commission, regulations, pages 514, 881, 1886, 1911, 1940, Act no. 85-688
- H 607—Nonprofit Corporations, authorized to purchase state property from Finance Department, page 954
- H 613—Mental Health Department, custody of juvenile, discharge procedure, pages 1090, 1758, 1765, 1922, 1923, 1924, 1926, 1927, 1950
- H 614—Etowah County, final orders in criminal cases, filing procedure altered, pages 500, 872, 1819, 1858, Act no. 85-735
- H 615—Tennessee-Tombigbee, opening ceremonies, appropriation from Finance Department, pages 508, 548, 977, 1922, 1923, 1924, 1926, 1927
- H 616—32nd Judicial Circuit, Cullman County, additional clerk authorized for district attorney, pages 490, 798, 893, 971, 989, 1080, Act no. 85-496
- H 617—Lauderdale County, additional clerks maintain law library, pages 491, 872, 1819, 1858, Act no. 85-709
- H 618—Agricultural Aircrafts, land and take off on lightly traveled local highways, pages 1420, 1759, 1768
- H 624—Chambers County, County Commission authorized to levy additional ad valorem tax, pages 500, 877, 977, 1116, 1126, 1135, Act no. 85-479
- H 626—Regional Planning and Development Commission, ratification of organization and operation, pages 492, 637, 896, 1886, 1892, 1917, Act no. 85-757

- H 627—Highway Director, administer public transportation programs, pages 506, 881, 1113, 1886, 1893, 1895, 1897, 1916, Act no. 85-753
- H 629—Mental Health Department, special school district, pages 514, 1759, 1769
- H 631—Madison County, court costs assessed in drug cases, distributed to alcohol and drug education programs, pages 702, 965, 1694, 1695, 1770, Act no. 85-596
- H 633—Mobile County Conservation Office, established division of Sheriff's office, page 510
- H 638—Mobile County, taxes collected on school's athletic events returned funds to athletic department, pages 491, 730, 802
- H 639—Mobile County, probate judge, authorized to sell voter list, pages 491, 730, 802, 886, 908, 916, Act no. 85-432
- H 645—Houston County, County Commission, relief funds for certain county clean-up, pages 501, 878, 1824, 1858, Act no. 85-710
- H 646—Child Care Facilities, records and background information checks on operators and other employees, pages 691, 726, 1281
- H 649—Local Government Capital Improvement Fund, established, appropriation from oil and gas, c/a, pages 688, 724, 1837, 1837, 1841, 1843, 1845, 1847, 1849
- H 650—Library Theft, crime of, created, penalties, pages 687, 883, 960
- H 655—Geneva County, Superintendent of Education, travel allowance authorized, pages 500, 878, 1285, 1718, 1718, 1772, Act no. 85-582
- H 656—Geneva County, Board of Education authorized to establish salary, pages 500, 878, 1285, 1715, 1715, 1748, Act no. 85-618
- H 667—Interstate Corrections Compact, established, pages 1091, 1520, 1837, 1865, 1916, Act no. 85-752
- H 669—Income Tax, revised, pages 848, 960, 1113, 1331, 1331, 1407, Act no. 85-515
- H 670—Tuscaloosa County, poll workers and officials, compensation, pages 697, 798, 891, 937, 1001, 1075, Act no. 85-441
- H 671—Sylacauga, corporate limits altered, pages 500, 727, 1697, 1697, 1770, Act no. 85-597
- H 674—Mobile, City of, new employees, retirement service credit granted for certain service earned with employees' retirement system, pages 1363, 1680, 1762
- H 680—Chambers County, sheriff, expense allowance, pages 1096, 1514, 1707, 1707, 1748, Act no. 85-617
- H 685—Alimony and Child Support, payment guarantee, pages 1440, 1762
- H 687—Shelby County, sale of Medical Center, prohibited without referendum approval, pages 503, 878, 1722, 1723, 1771, Act no. 85-606
- H 690—Birmingham, time between taking of office of mayor and city council and first meeting of council altered, pages 497, 966

- H 691—Birmingham, elected officials, retirement benefits and salary, pages 497, 966
- H 694—Shelby County, insurance for retired county employees, pages 503, 878, 1721, 1722, 1770, Act no. 85-601
- H 695—Jackson County, tax assessor relieved from certain monetary obligations, pages 504, 678, 918, 974, 985, 1075, Act no. 85-442
- H 696—Randolph County, sheriff authorized to keep prisoners' food allowance, pages 501, 876, 977, 1709, 1709, 1748, Act no. 85-616
- H 697—Clay County, sheriff authorized to keep prisoners' food allowance, pages 492, 876, 977, 1117, 1124, 1136, Act no. 85-478
- H 703—Madison County, ad valorem tax increase in areas served by county board of education, page 702
- H 706—Albertville, corporate limits altered, pages 503, 678, 1818, 1859, Act no. 85-711
- H 707—Webb, corporate limits altered, pages 502, 1698, 1698, 1763, 1831, 1896, 1909, Act no. 85-692
- H 708—Banks and Banking, finance charge defined, pages 1106, 1762, 1886, 1902, 1902, 1908, 1910, 1911
- H 711—Geneva County, tobacco tax, County Commission authorized to levy, pages 495, 730, 800, 886, 908, 916, Act no. 85-433
- H 715—Marengo County, fire protection charge authorized, pages 504, 798, 950, 1117, 1121, 1136, Act no. 85-467
- H 716—St. Clair County, license division established in probate judge's office, pages 504, 876, 969, 1117, 1123, 1172, 1234, Act no. 85-435
- H 717—Margaret, corporate limits altered, pages 505, 877, 969, 1117, 1125, 1136, Act no. 85-468
- H 719—Mobile County, license commission, procedure for deposits, page 509
- H 720—Selma and Dallas County Economic Development Authority, established, pages 488, 728, 896, 974, 986, 1075, Act no. 85-443
- H 721—Crenshaw County, County Commission, compensation, pages 505, 877, 1731, 1731, 1774, Act no. 85-592
- H 722—Hospitals, certificate of need, 2 year moratorium, pages 704, 1758, 1767
- H 724—Legislative Fiscal Office, duties altered, pages 848, 1520
- H 729—Talladega County, health department, authorization charge fees for certain services, pages 488, 877, 1693, 1693, 1771, Act no. 85-611
- H 730—Motor Vehicles, dismantlers, 2 additional categories regulated, pages 958, 1759, 1769
- H 731—Lee County, court reporter, additional compensation authorized, pages 696, 877, 949, 1118, 1125, 1136, Act no. 85-469
- H 732—Lee County, Board of Registrars, compensation increase, pages 696, 877, 949, 1118, 1125, 1136, Act no. 85-470

- H 734—Blount County, branch banks authorized, pages 502, 678, 1703, 1704, 1748, Act no. 85-615
- H 735—Blount County, County Commission, districts altered, pages 488, 678, 1704, 1705, 1748, Act no. 85-614
- H 736—Walker County, bingo authorized for certain nonprofit organizations, c/a, pages 705, 1514, 1725, 1725, 1776, Act no. 85-521
- H 738—Atmore, corporate limits altered, pages 489, 678, 1702, 1702, 1744, Act no. 85-528
- H 740—Municipalities, Class 1, provide for horse racing revenues, page 792
- H 743—Environmental Management Department, further regulated, pages 1091, 1758, 1766, 1770, 1924, 1941
- H 748—Mobile County, County Commissioners, expense allowance, pages 489, 730, 803, 886, 909, 916, Act no. 85-434
- H 754—Sumter County, constables, compensation, court costs increased, pages 696, 877, 977, 1118, 1126, 1136, Act no. 85-471
- H 756—Geneva County, Superintendent of Education, expense allowance, pages 495, 877, 1285, 1716, 1716, 1772, Act no. 85-583
- H 763—Turkey Hunters Hall of Fame, established, pages 1239, 1758, 1763, 1924
- H 764—Community Action Agencies, provided further, pages 1418, 1680, 1762
- H 766—Jackson County, motor fuel tax levied, referendum, pages 489, 728, 918, 974, 986, 1075, Act no. 85-409
- H 768—Chilton County, Board of Registrars, compensation, pages 697, 877, 1257, 1698, 1699, 1744, Act no. 85-529
- H 771—Transient Merchants, regulations, pages 1364, 1703, 1762, 1837, 1864, 1895, 1909, Act no. 85-693
- H 777—Wilcox County, ad valorem tax, c/a, pages 696, 797, 896, 975, 987, 1081, Act no. 85-410
- H 780—2nd Judicial Circuit, Butler, Crenshaw, and Lowndes Counties, district attorney, investigators authority, assistance before Grand Jury authorized, pages 695, 877, 1732, 1732, 1774
- H 782—St. Clair County, office of constable abolished, pages 695, 874, 1820, 1859, Act no. 85-712
- H 788—Teachers, salary increase, appropriation, pages 704, 884, 1274, 1922, 1923, 1924, 1926, 1927
- H 790—Baldwin County, oil and gas revenue disposition, pages 495, 874, 1736, 1737, 1772, Act no. 85-580
- H 791—Baldwin County, tax assessor and tax collector, consolidation referendum, pages 495, 874, 1737, 1737, 1772, Act no. 85-579
- H 797—Montgomery County, retirement system, retirement allowance and interest rates regulated, pages 957, 1085, 1683, 1684, 1740, Act no. 85-568

- H 802—Charities, solicitation of funds, 75% must go to charity, page 1438
- H 803—Mobile, City of, pension and relief system for police and firefighters, page 1243
- H 805—Cleburne County, selling and redeeming land for taxes, procedures altered, pages 691, 874, 977, 1118, 1123, 1136, Act no. 85-472
- H 806—Prattville, corporate limits altered, pages 496, 870, 977, 1119, 1121, 1136, Act no. 85-473
- H 807—Elmore County, County Commission, elected by districts, pages 496, 874, 1821, 1859, Act no. 85-713
- H 810—Lawrence County, Board of Trustees for Jesse Owens Park, pages 498, 874, 1821, 1859, Act no. 85-714
- H 811—Lawrence County, Department of Conservation, regulate use of dogs in hunting, pages 498, 874, 1821, 1859, Act no. 85-716
- H 812—Lawrence County, tax assessor to provide procedure for handling worthless checks, pages 498, 875, 1822, 1859, Act no. 85-715
- H 813—Lawrence County, license division established in tax assessor's office, probate judge's duties transferred to license division, pages 498, 875, 1822, 1859, Act no. 85-717
- H 814—36th Judicial Circuit, Lawrence County, court reporter, expense allowance, pages 499, 875, 1822, 1860, Act no. 85-741
- H 816—Decatur, corporate limits altered, pages 1104, 1512, 1828, 1860, Act no. 85-718
- H 817—Gasoline, common carriers of, regulate markings of vehicle, pages 687, 881, 1076
- H 819—Hueytown, corporate limits altered, page 793
- H 820—Sunshine Law, open-meeting laws, pages 1416, 1680, 1763, 1837, 1856, 1856, 1863
- H 821—36th Judicial Circuit, Lawrence County, district and circuit judges, expense allowance, pages 695, 965, 1111, 1825, 1860, Act no. 85-719
- H 823—State Retirement Systems, service credit for certain military service authorized, pages 1416, 1521, 1922, 1923, 1924, 1926, 1927
- H 830—Lawrence County, County Superintendent of Education, expense allowance authorized, pages 695, 965, 1111, 1825, 1860, Act no. 85-720
- H 837—Corporations, foreign, franchise tax, exclusions for capital investment in certain counties, pages 604, 681, 731, 774, 804, 845, 914, Act no. 85-412
- H 838—Corporations, tax on stock shares, additional deductions in certain counties, pages 604, 681, 731, 765, 845, 914, Act no. 85-413
- H 839—Shelby County, annexation procedure for municipalities outside the county, page 954

- H 841—Pickens County, Board of Education, substitute other textbooks for state approved texts, pages 697, 1512, 1828, 1860, Act no. 85-739
- H 842—Tallapoosa County, Board of Education, expense allowance, pages 697, 875, 1351, 1685, 1685, 1744, Act no. 85-530
- H 843—Tallapoosa County, motor vehicle license issuance, consolidated in tax collector's office, pages 698, 875, 1351, 1685, 1686, 1744, Act no. 85-532
- H 844—Jefferson County, ad valorem tax refunds, page 1100
- H 845—Jefferson County, tax assessor authorized to correct errors in ad valorem tax, page 1100
- H 850—13th Judicial Circuit, Mobile County, district court clerk, expense allowance, pages 1099, 1514, 1738, 1739, 1772, Act no. 85-578
- H 851—Lauderdale County, County Commissioner full-time chairman, referendum, pages 698, 875, 1523, 1675, 1675, 1741, Act no. 85-551
- H 852—Marshall County, County Commission, powers, duties, regulated, pages 703, 876, 1823, 1860, Act no. 85-721
- H 853—Marshall County, County Commission Reapportionment Study Committee, established, pages 703, 876, 1823, 1860, Act no. 85-722
- H 854—Walker County, Alabama Mining Academy, established at Walker State Technical College, pages 1415, 1759, 1767, 1886, 1901, 1918, Act no. 85-760
- H 855—Mobile County, matched grant program for children and senior citizens, established, page 1098
- H 857—Saraland Woman's Club, tax exempt, pages 1095, 1514, 1734, 1734, 1774, Act no. 85-589
- H 858—Crime Victim Impact and Allocution Act, established, pages 1414, 1521
- H 859—Madison County, municipalities authorized to fund insurance for retired employees, pages 703, 965, 1693, 1694, 1770, Act no. 85-598
- H 860—Judge of Probate, authorized to microfilm weekly newspapers, pages 1106, 1680, 1763
- H 861—Pike County, County Commission, authorized to establish certain ad valorem taxes on certain motor vehicles, c/a, pages 1099, 1512, 1729, 1730, 1776, Act no. 85-520
- H 862—Mobile County, tax collector salary increase, page 1099
- H 864—Mobile, City of, corporate limits altered, pages 1095, 1514, 1829, 1860, Act no. 85-723
- H 866—Jefferson County, constables, fees increased, pages 1418, 1680, 1764
- H 873—Jefferson County, provide joint survivorship pension option under county retirement system, page 1100

- H 874—Jefferson County, provide for Non-service Connected Disability under county retirement system, page 1100
- H 875—Jefferson County, provide for benefits under county retirement system, page 1101
- H 877—Veterinary Medicine, State Board of, established, page 1435
- H 878—Insurance Companies, premium finance, regulated, pages 1246, 1518
- H 880—Geneva County, tax assessor and tax collector authorized to hire clerks, pages 700, 873, 1285, 1720, 1720, 1772, Act no. 85-584
- H 881—Geneva County, County Engineer, authorized, road and bridge maintenance, established, pages 700, 873, 1285, 1717, 1717, 1773, Act no. 85-585
- H 882—Geneva County, County Commission elected from certain districts, referendum, pages 700, 873, 1285, 1717, 1718, 1773, Act no. 85-586
- H 883—Geneva County, civil service system, established, pages 701, 873, 1285, 1719, 1719, 1773, Act no. 85-587
- H 890—Autauga County, probate judge, salary compensation, c/a, page 791
- H 893—Perry County, redistrict County Commission and Board of Education, pages 701, 874, 949, 1119, 1122, 1429, Act no. 85-524
- H 896—Albertville, corporate limits altered, pages 849, 874, 1820, 1861, Act no. 85-724
- H 897—Limestone County, additional ad valorem tax levied, referendum, pages 702, 874, 949, 1119, 1123, 1136, Act no. 85-474
- H 898—Lowndes County, Superintendent of Education, appointment authorized by County Commission, pages 1105, 1512, 1827, 1861, Act no. 85-725
- H 899—Lowndes County, beer tax distribution, pages 1105, 1512, 1828, 1861, Act no. 85-726
- H 900—Lowndes County, redistrict County Commission and Board of Education, pages 1105, 1513, 1829, 1861, Act no. 85-740
- H 902—Hartselle, Morgan County, certain school district taxes continued, c/a, pages 1093, 1510, 1826, 1862, Act no. 85-576
- H 903—14th Judicial Circuit, Walker County, expense allowance for circuit and district judges, pages 953, 1510, 1724, 1724, 1771, Act no. 85-607
- H 906—Auburn University Police, powers granted, pages 1095, 1509, 1826, 1861, Act no. 85-727
- H 912—Chambers County, addresses of grantees of real property, probate judge's office, pages 1096, 1509, 1710, 1710, 1748, Act no. 85-621
- H 915—Blount County, County Health Department, fees altered, pages 1105, 1509, 1706, 1706, 1748, Act no. 85-622
- H 917—Cullman County, sales and use tax, County Commission authorized to levy, pages 685, 798, 893, 972, 989, 1080, Act no. 85-497

- H 918—Cullman County, sale of medical center, referendum, pages 685, 798, 893, 969, 990, 1081, Act no. 85-498
- H 920—Municipalities, incorporation of Downtown Redevelopment Authority, powers and duties, pages 1432, 1518, 1808, 1922, 1923, 1924, 1925, 1927, 1928, 1952, 1956, Act no. 85-683
- H 921—Tuscaloosa County, Board of Registrars, meeting days increased, pages 1411, 1509, 1700, 1700, 1744, Act no. 85-533
- H 927—Children's Trust Fund, tax check-off, amount increased, pages 1243, 1698, 1763
- H 928—Child Abuse and Neglect Prevention Board, Children's Trust Fund, staff, compensation, distribution of funds, pages 1243, 1515, 1667, 1668, 1793, 1793, 1848, Act no. 85-698
- H 934—Circuit Court, appeals from district court dismissed when defendant fails to appear, pages 1437, 1746, 1764
- H 936—Child Abuse, Missing Persons Information Center, established, pages 1240, 1515, 1664, 1667, 1668, 1777, 1799, Act no. 85-538
- H 938—Children, assistance in criminal proceedings of those who are victims or witnesses to crime, pages 1244, 1516, 1664, 1668, 1668, 1777
- H 939—Children, testifying in child or sexual abuse cases, safeguards authorized, pages 1244, 1516, 1665, 1668, 1668, 1779, 1782, 1793, 1906, 1914, Act no. 85-743
- H 940—Adoption, foster or adoptive parents, criminal history check, pages 1241, 1516, 1666, 1668, 1668, 1782, 1799, Act no. 85-537
- H 941—Child Abuse, criminal history check on those who have direct supervision of minors, pages 1244, 1517, 1664, 1667, 1668, 1791, 1902, 1910, Act no. 85-681
- H 942—Child Abuse, definition to include sexual abuse and exploitation, page 1365
- H 943—Child Abuse, incest, 15 year statute of limitations, page 1237
- H 944—Child Abuse, sexual abuse offenders parole procedure, page 1237
- H 945—Child Abuse, Child Protection Teams, established, pages 1237, 1517, 1665, 1668, 1668, 1783, 1787, 1789, 1903, 1910, Act no. 85-682
- H 946—Child Abuse, missing persons, sharing of information, pages 1238, 1517, 1665, 1668, 1668, 1789, 1848, Act no. 85-699
- H 947—Child Abuse, protects identity of victims, pages 1238, 1518, 1665, 1668, 1668, 1790, 1905, 1913, Act no. 85-742
- H 948—Health Planning and Development Agency, supplemental appropriation, pages 1437, 1698, 1764, 1922, 1923, 1924, 1926, 1927
- H 949—Winston County, tobacco tax increase, pages 1094, 1509, 1826, 1861, Act no. 85-728
- H 951—Probate Judges, annual salary, pages 1412, 1680, 1764

- H 952—Anniston, Civil Service System, exemptions, pages 1102, 1509, 1673, 1673, 1741, Act no. 85-552
- H 954—Mobile County, election officers, salary altered, pages 1103, 1514, 1830, 1895, 1909, Act no. 85-694
- H 955—St. Clair County, indexing and recording of title documents, pages 1093, 1509, 1721, 1721, 1773, Act no. 85-588
- H 960—Russell County, pistol permit fee, distribution, pages 1106, 1509, 1688, 1689, 1740, Act no. 85-569
- H 962—Limestone County, election of License Commissioner, referendum approval, pages 1106, 1508, 1677, 1677, 1741, Act no. 85-553
- H 967—Morgan County, County Superintendent of Education, expense allowance, page 1242
- H 969—Income Tax, check-off to finance “Keep the Stallions in Alabama” trust fund, pages 954, 1521
- H 972—Sylacauga, corporate limits altered, pages 1241, 1508, 1696, 1696, 1770, Act no. 85-599
- H 973—Coosa County, one percent additional county sales tax, pages 1101, 1508, 1676, 1676, 1742, Act no. 85-554
- H 978—15th Judicial Circuit, Montgomery County, district attorney, investigator compensation, pages 1487, 1764
- H 980—Tuscaloosa County, civil service board members, salary, pages 1094, 1511, 1687, 1687, 1740, Act no. 85-570
- H 982—Dale County, pistol fee increase, pages 1094, 1511, 1730, 1730, 1771, Act no. 85-608
- H 983—15th Judicial Circuit, Montgomery County, Grand Jury Court Reporter receive certain fees and benefits, pages 1437, 1746, 1765
- H 990—Talladega County, professional sporting events taxed, page 1238
- H 993—Madison County, County Commission required hold public meetings at night, page 1103
- H 994—Madison County, limitations on expenditures by County Commission last year term of office, page 1103
- H 995—Jackson County, County Commission, fees for mailing vehicle license tags, pages 1242, 1511, 1827, 1861, Act no. 85-729
- H 996—Coffee County, probate judge and revenue commissioner clerks, salary increase, pages 1101, 1511, 1701, 1701, 1744, Act no. 85-531
- H 997—Colbert County, Shoals Development Authority, established, c/a, pages 1096, 1511, 1827
- H 999—Mobile County, oil and gas severance and privilege tax, distribution of proceeds, pages 1097, 1515, 1918, 1940, Act no. 85-686
- H 1000—Calhoun County, sales tax levied, pages 1242, 1510, 1672, 1672, 1742, Act no. 85-555
- H 1002—Mobile, city government, districts altered, pages 1103, 1515, 1646, 1714, 1715, 1748, Act no. 85-623

- H 1003—Lauderdale County, Shoals Development Authority, established, c/a, pages 1097, 1510, 1827
- H 1004—Lanett, corporate limits altered, pages 1361, 1507, 1707, 1708, 1748, Act no. 85-624
- H 1005—Tuscaloosa County, sheriff compensation altered, pages 1101, 1507, 1688, 1688, 1740, Act no. 85-571
- H 1006—Pike County, County Commission, expense allowance, pages 1103, 1507, 1728, 1728, 1771, Act no. 85-609
- H 1007—Butler County, office of constable abolished, page 1104
- H 1008—Bay Minette, corporate limits altered, pages 1104, 1507, 1735, 1736, 1774, Act no. 85-594
- H 1010—Jefferson County, personnel board compensation and chairman for attendance at meetings, page 1430
- H 1011—Houston County, ad valorem tax for industrial development and rural fire protection, pages 1242, 1679, 1763, 1832, 1862, Act no. 85-730
- H 1012—Lauderdale County, County Commission, full-time chairman, pages 1092, 1508, 1674, 1675, 1742, Act no. 85-556
- H 1013—Troy-Pike County Lake Authority, established, composition, powers, duties, pages 1092, 1507, 1729, 1729, 1771, Act no. 85-610
- H 1014—Madison County, exemptions of certain portion of local property tax repealed, c/a, pages 1439, 1759, 1768, 1835, 1862, Act no. 85-577
- H 1017—Bear Creek, corporate limits altered, pages 1093, 1508, 1825, 1862, Act no. 85-731
- H 1018—Cherokee County, sales tax, referendum, pages 1093, 1507, 1712, 1713, 1748, Act no. 85-625
- H 1020—Alabama Advisory Council on Children and Youth, established, duties, page 1417
- H 1023—State Docks, certain coal severance tax proceeds to operate coal handling facilities, pages 1245, 1505, 1808, 1809, 1816, 1816, 1836, 1906, 1914, Act no. 85-648
- H 1028—DeKalb County, additional tobacco tax, pages 1430, 1512, 1678, 1678, 1742, Act no. 85-557
- H 1030—Calhoun County, composition of County Commission altered, pages 1361, 1506, 1673, 1674, 1742, Act no. 85-558
- H 1032—Birmingham, authorized to create business development districts, c/a, pages 1490, 1764
- H 1037—Flood Control Authority, authorized in each county, pages 1436, 1758, 1765, 1922, 1923, 1924, 1926, 1927
- H 1039—North Courtland, corporate limits altered, page 1431
- H 1040—Elmore County, County Commission authorized to provide clerical assistance for county officers, pages 1361, 1508, 1695, 1695, 1770, Act no. 85-600

- H 1041—5th Judicial Circuit, judges expense allowance, pages 1362, 1508, 1686, 1686, 1744, Act no. 85-534
- H 1042—Talladega County, County Commission, compensation set for Revenue Commissioner, pages 1409, 1512, 1749, 1750, 1788, Act no. 85-540
- H 1043—Courtland, corporate limits altered, page 1431
- H 1044—Municipalities, Class 4, mayor-council form of government authorized, pages 1412, 1680, 1765, 1924
- H 1045—Transportation Companies, certain gross receipts, required to pay inspection and supervision fees quarterly, pages 1437, 1759, 1767, 1886, 1895, 1917, Act no. 85-756
- H 1047—Ashland, corporate limits altered, pages 1411, 1512, 1711, 1711, 1749, Act no. 85-626
- H 1052—Bibb County, additional sales tax for renovation of county courthouse, pages 1409, 1513, 1699, 1700, 1745, Act no. 85-535
- H 1053—Monroe County, sales tax levied by County Commission, pages 1409, 1513, 1689, 1690, 1741, Act no. 85-572
- H 1054—Autauga County, probate judge, compensation, page 1409
- H 1056—Baldwin County, law library fees distributed for judicial administration, pages 1410, 1512, 1735, 1735, 1774, 1948, 1958, Act no. 85-684
- H 1059—Madison County, Board of Registrars, compensation, pages 1410, 1759, 1768, 1834, 1896, 1909, Act no. 85-695
- H 1061—Marion County, criminal court records, filing procedure altered, pages 1410, 1508, 1537, 1690, 1690, 1741, Act no. 85-573
- H 1062—Franklin County, tax assessor, distribution of certain fees, pages 1410, 1510, 1537, 1691, 1691, 1893, 1896, Act no. 85-685
- H 1064—Baldwin County, sheriff, compensation, page 1431
- H 1065—16th Judicial Circuit, Etowah County, circuit clerk, compensation, pages 1431, 1759, 1767, 1833, 1862, Act no. 85-732
- H 1067—Randolph County, county commission authorized to reimburse probate judge or license commissioner for certain errors, pages 1432, 1507, 1711, 1712, 1749, Act no. 85-627
- H 1069—Cherokee County, probate judge filing fee, pages 1439, 1507, 1713, 1713, 1749, Act no. 85-628
- H 1072—Marshall County, superintendent of education, method of electing altered, page 1787
- H 1074—Dale County, tax assessor and tax collector, compensation, pages 1491, 1763, 1833, 1862, Act no. 85-733
- H 1075—Dale County, board of registrars, meeting days, pages 1491, 1763, 1831, 1862, Act no. 85-734

REGULAR SESSION 1985
NUMERICAL AND SHORT TITLE INDEX
SENATE RESOLUTIONS

- SJR 1—Committee to notify Governor of session, pages 4, 42
- SJR 2—Legislature, joint session to hear Governor's address, pages 4, 42
- SJR 3—Teague, John, commended, pages 32, 50, 78, 95, Act no. 85-145
- SJR 4—Johnson, Roy, commended, pages 32, 50, 78, 95, Act no. 85-144
- SR 5—St. Margaret's Catholic School, commended, page 33
- SJR 6—Certificate of title required, continuance of recorded legends, pages 54, 108, 130, 159, Act no. 85-184
- SJR 7—American History Month, designated, pages 57, 108, 130, 159, Act no. 85-152
- SJR 8—Joint Interim Committee on County Government continued, pages 57, 850, 959, 1077, Act no. 85-458
- SR 9—Link, James D., commended, pages 78, 137
- SR 10—Jones, Warren Phelps, commended, pages 78, 137
- SR 11—General Federation of Women's Clubs, Alabama, commended, page 104
- SJR 12—Givens, Anne, commended, pages 104, 126, 130, 159, Act no. 85-151
- SJR 13—Pepper, Claude, commended, pages 105, 127, 131, 159, Act no. 85-150
- SR 14—Wielicki, Anthony F., commended, page 108
- SR 15—Lovelace, Edward F., commended, page 108
- SJR 16—Unemployment Data, requested by Legislature from Department of Industrial Relations, page 109
- SJR 17—Cancer, tests for detection urged, pages 110, 127, 130, 159, Act no. 85-149
- SJR 18—Alabama Federation of Business and Professional Women's Clubs, commended, pages 115, 127, 130, 159, Act no. 85-148
- SR 19—DeKalb County Vocational School VICA Club, commended, page 119
- SR 20—Lucas, Helen, commended, page 119
- SJR 21—Amtrak, U.S. Congress memorialized regarding funding in fiscal year 1986, pages 127, 138
- SJR 22—Acts of Alabama, 1984 2nd Special Session and 1985 1st Special Session, binding regulated, pages 130, 158, 166, 201, Act no. 85-146
- SR 23—Auburn University, commended, page 130

- SR 24—Gulf Shores, advisory opinion requested re: boundaries in S.B. 177, pages 136, 620
- SJR 25—Smith Lake, state agencies requested to investigate mining pollution, page 138
- SJR 26—Woolfolk, Odessa, commended, pages 139, 158, 167, 201, Act no. 85-147
- SR 27—Senate, special order calendar, page 139
- SR 28—Reeltown High School Football Team, commended, page 150
- SJR 29—Pilgreen, Willard M., commended, pages 171, 252, 317, 342, Act no. 85-225
- SR 30—Deese, Richard, commended, page 179
- SR 31—Shannon, Harper, commended, page 179
- SR 32—Senate, special order calendar, page 179
- SR 33—Bradley, Karl W., commended, pages 180, 259
- SR 34—Shelton, J. Willard, commended, pages 180, 259
- SJR 35—Alcoholic beverages, sale, territorial bill, pages 216, 252, 317, 342, Act no. 85-226
- SR 36—Landry, Mr. and Mrs. Sidney Paul, commended, page 219
- SR 37—Vines, Pam, commended, page 220
- SR 38—Senate, special order calendar, page 221
- SJR 39—Beale, George L., death mourned, pages 230, 252, 317, 342, Act no. 85-227
- SR 40—Parsons, Mac, commended, page 239
- SR 41—Pritchett, Charlotte, commended, page 250
- SJR 42—Feld, Ignatz Louis, commended, pages 250, 418, 454, 538, Act no. 85-240
- SJR 43—Saturn Corporation, commended, pages 251, 418, 454, 538, Act no. 241
- SR 44—Perritt, H. Marion, commended, page 252
- SR 45—Duke, Oscar W., commended, page 252
- SJR 46—Girl Scouts, commended, pages 257, 419, 454, 538, Act no. 85-242
- SJR 47—Cedar Park-Edgewood Olympics Mind Team, commended, pages 258, 420, 454, 538, Act no. 85-243
- SJR 48—Gateway Industries, commended, pages 258, 420, 454, 538, Act no. 85-244
- SR 49—Senate, special order calendar, page 261
- SJR 50—Smith, George C., commended, pages 263, 1650, 1904, 1920, 1958, Act no. 85-668

- SJR 51—Alabama National Guard observers in Panama, Legislative Officers and Legislators, page 277
- SJR 52—Legislature, meeting days, page 284
- SR 53—Burgess, Bill, commended, page 285
- SJR 54—Budget Isolation and appropriation process, joint interim committee to study, page 285
- SR 55—Girl Scouts, commended, page 305
- SR 56—Mowa-Choctaw Indian Youth Council, commended, page 305
- SJR 57—George C. Wallace Energy and Mineral Resources Wing of the Walter B. Jones Building at the University of Alabama, named, pages 319, 418, 454, 538, Act no. 245
- SR 58—Moran, Dan, commended, page 319
- SR 59—McLain, John Hamilton, commended, page 320
- SR 60—Strickland, Diana Lynn, commended, page 320
- SR 61—Page, Mr. and Mrs. Buford, commended, page 321
- SR 62—Nathan, Tink, commended, page 321
- SR 63—Simmons, Nola, commended, page 321
- SR 64—Thomas, Jimmy, honored posthumously, page 321
- SJR 65—Thornton, Mr. and Mrs. Hollis, commended, pages 321, 418, 454, 538, Act no. 85-246
- SJR 66—Bridges, Tom, commended, pages 321, 418, 455, 538, Act no. 85-247
- SR 67—Alexandria High School Basketball Team, commended, page 322
- SR 68—Senate, special order calendar, page 322
- SJR 69—Alabama Institute for Deaf and Blind Highway, portion of Highway 21, named, pages 329, 418, 455, 538, Act no. 85-248
- SJR 70—International Pentecostal Assemblies of the World, Board of Bishops, commended and welcomed, pages 330, 418, 455, 538, Act no. 85-249
- SJR 71—Covington, Jesse Foy, death mourned, pages 335, 418, 455, 538, Act no. 85-250
- SJR 72—MacMillan, James B., commended, pages 335, 418, 455, 538, Act no. 85-251
- SJR 73—Ford, Bessie, commended, pages 337, 418, 455, 538, Act no. 85-252
- SJR 74—St. Jude High School, commended, pages 338, 419, 455, 538, Act no. 85-253
- SJR 75—Calhoun School, commended, pages 339, 419, 455, 538, Act no. 85-254

- SJR 76—Reed, Anthony, commended, pages 339, 419, 455, 538, Act no. 85-255
- SJR 77—Walker, Jacqueline Burnes, death mourned, pages 340, 419, 455, 538, Act no. 85-256
- SR 78—Prince, Mr. and Mrs. O. G., commended, page 350
- SR 79—Wilson, James A., commended, page 350
- SR 80—Roney, Marianne M., commended, page 350
- SR 81—Harwood, Harvey David, commended, page 355
- SJR 82—Herlihy, Charles, commended, pages 355, 420, 455, 538, Act no. 85-257
- SJR 83—County Health Services, joint legislative committee to study established, pages 356, 419, 455, 538, Act no. 85-258
- SR 84—Overbeek, James H., commended, page 362
- SR 85—Ashburn, James Cecil, commended, page 363
- SJR 86—National Childrens' Week, observance, pages 366, 420, 456, 538, Act no. 85-259
- SR 87—Rogers, Richard, commended, page 368
- SJR 88—Southside High School Basketball team, commended, pages 372, 420, 456, 538, Act no. 85-260
- SJR 89—Jacksonville State University Basketball Team, commended, pages 374, 420, 456, 538, Act no. 85-261
- SJR 90—WZZK-FM, "Patty and the Doc Show", commended, pages 375, 420, 456, 538, Act no. 85-262
- SR 91—Press Facilities, re: Senate Chamber, page 375
- SJR 92—Butterfly Day, designated, pages 376, 420, 456, 538, Act no. 85-263
- SJR 93—Pierce, Ronnie Joe, death mourned, pages 376, 420, 456, 538, Act no. 85-264
- SR 94—Jones, Mr. and Mrs. Perry, commended, page 377
- SR 95—Smith, George C., commended, page 377
- SR 96—Hinton, Marjorie, commended, page 377
- SR 97—Hinton, Wilbur, commended, page 378
- SR 98—Brown, Lavern, commended, page 378
- SR 99—Killian, Al, commended, page 378
- SJR 100—Andrews, Lillian Pugh, commended, pages 378, 420, 456, 538, Act no. 85-265
- SJR 101—Ashley, Alyssa, commended, pages 379, 420, 456, 538, Act no. 85-266

- SJR 102—Alabama Legislative Congressional Advisory Committee on farm programs, established, pages 380, 417, 421, 479, 543, 594, Act no. 85-280
- SR 103—Bowers, James M., commended, page 385
- SR 104—Bedsole, Ann, wished speedy recovery, page 387
- SJR 105—Meadowview Christian School Football Team, commended, pages 394, 602, 641, 670, Act no. 320
- SR 106—Gilliam, Paula, commended, page 395
- SR 107—Hatch, John E., commended, page 395
- SR 108—Senate, special order calendar, page 416
- SR 109—Fick, Bessie Davey, commended, page 423
- SJR 110—Wideman, James Frank, death mourned, pages 423, 602, 641, 670, Act no. 85-321
- SJR 111—Scharfenberg, Steve, commended, pages 426, 602, 641, 670, Act no. 85-322
- SJR 112—Dunbar, Sara Lee, commended, pages 427, 602, 641, 670, Act no. 85-323
- SR 113—Phillips High School Girls' Basketball Team, commended, pages 431, 1651
- SJR 114—Pierce, Ronnie Joe, death mourned, pages 431, 1650, 1904, 1920, 1958, Act no. 85-667
- SR 115—Waldrop, W. W., commended posthumously, pages 432, 1651
- SR 116—McAdams, Belton, commended, pages 432, 1651
- SR 117—Bell, Sara E. Cook, commended, pages 432, 1651
- SR 118—Billingsley, G. G., commended, pages 432, 1651
- SR 119—Varnon, Richard, commended, pages 432, 1651
- SR 120—Blalock, Louie, commended, pages 432, 1651
- SR 121—Garrison, Nola H., commended, pages 432, 1651
- SR 122—Cochran, Eugene Russell, death mourned, pages 432, 1650
- SJR 123—Tammy Little Drive, portion of Highway 35, named, pages 432, 1652, 1904, 1920, 1958, Act no. 85-669
- SR 124—Freeman, Clinton L., commended, pages 433, 1651
- SR 125—Mathis, John, commended, pages 433, 1652
- SJR 126—Harbuck, Ned, commended, pages 442, 602, 641, 670, Act no. 85-324
- SJR 127—Legislative Parking Committee, meeting days, pages 452, 602, 641, 670, Act no. 85-325
- SR 128—Senate, special order calendar, page 453

- SR 129—Battle, Dorothy, death mourned, page 457
- SR 130—Monroe, Herman Eugene, commended, page 457
- SR 131—Crow, David A., commended, page 457
- SJR 132—National Nurses Day, observance, pages 457, 602, 641, 670, Act no. 85-326
- SR 133—Alabama Community, Junior, and Technical Colleges, commended on their 20th anniversary, page 458
- SR 134—Hardy, James, commended, page 464
- SR 135—Dunn, Mrs. C. K., commended, page 464
- SJR 136—Textile Industry, Alabama Legislative Congressional Advisory Committee on, created, page 464
- SR 137—Sylvania High School, commended, page 469
- SR 138—Roberts, Amy, commended, page 469
- SR 139—Mattei, James E., commended, page 469
- SR 140—Homan, Charlotte T., commended, page 469
- SR 141—Harris, John C., commended, page 469
- SJR 142—Wilcox County High School Basketball Team, commended, pages 469, 603, 641, 670, Act no. 85-327
- SJR 143—Southside High School Basketball Team, commended, pages 470, 603, 641, 670, Act no. 85-328
- SJR 144—Robert C. Hatch High School Basketball Team, commended, pages 470, 603, 641, 670, Act no. 85-329
- SJR 145—Duke, Marvin, commended, pages 471, 603, 641, 670, Act no. 85-330
- SR 146—Nicrosi, Michel, commended, page 479
- SJR 147—Bartow, Gene, commended, pages 532, 603, 642, 670, Act no. 85-331
- SR 148—Floyd Junior High School Cheerleaders, commended, page 561
- SR 149—Senate, special order calendar, page 564
- SR 150—Bragg, Leonard, commended, pages 592, 1651
- SR 151—Burwell, E. Dudley, commended, pages 592, 1651
- SR 152—Sides, Joseph P., commended, pages 592, 1650
- SJR 153—Bennett, Mr. and Mrs. Earl, commended, pages 597, 706, 718, 778, Act no. 85-354
- SR 154—Haynes, Vileta Anise Yeager, death mourned, page 599
- SR 155—Russell, Floyd Edward, commended, page 600
- SR 156—Colebeck, Edward Laughton, commended, page 600

- SJR 157—Child Abuse and Neglect Task Force, reporting date extended, pages 600, 706, 718, 778, Act no. 85-355
- SJR 158—Lawley, Colonel and Mrs. William R., Jr., commended, pages 600, 706, 718, 778, Act no. 85-356
- SJR 159—Tuskegee Institute High School Basketball Team, commended, pages 601, 706, 718, 778, Act no. 85-357
- SR 160—Senate, special order calendar, pages 602, 602, 603, 624, 625, 650
- SJR 161—Skelton, Bobby, commended, pages 605, 781, 820, 860, Act no. 85-382
- SJR 162—Grist YMCA Basketball Team, commended, pages 606, 781, 820, 860, Act no. 85-381
- SJR 163—Marino, Amerigo, commended, pages 607, 781, 820, 860, Act no. 85-380
- SR 164—Sellars, Dorothy Ranier, commended, page 612
- SJR 165—Apartheid system in South Africa condemned, pages 616, 781, 820, 860 Act no. 85-377
- SJR 166—Auburn University, commended, pages 619, 781, 820, 860, Act no. 85-378
- SJR 167—Military, retirement benefits, rights of ex-spouse, joint legislative committee to study, established, pages 623, 1654
- SR 168—U.S. Congress and President memorialized re: agriculture production and food relief for Africa, page 631
- SR 169—Tucker, Kyle, death mourned, page 631
- SJR 170—Norfleet, William “Charlie”, commended, pages 643, 781, 820, 860, Act no. 85-376
- SJR 171—Stevens, Rodney, commended, pages 644, 781, 820, 860, Act no. 85-375
- SJR 172—King, Brenda I., commended, pages 645, 781, 820, 860, Act no. 85-374
- SR 173—Miley, Oben Bryan, commended, page 645
- SR 174—Spearman, Dwight, commended, page 645
- SR 175—Gray, Mr. and Mrs. F. C., and staff of Coltishall Hall, commended, page 649
- SR 176—Eckles, Susan Michelle, death mourned, page 649
- SR 177—Beck, Brian; Crow, Jon David; Reach, Adam; and Willoughby, Jason, commended, page 650
- SJR 178—Farmers Homes Administration, commended, pages 651, 781, 820, 860, Act no. 85-373
- SJR 179—POW Benefits, U.S. Congress memorialized re: broadening of, pages 652, 781, 820, 860, Act no. 85-379

- SJR 180—Telephone Sets, state urged to purchase American-made and serviced by American workers, for new state house, pages 654, 781, 821, 860, Act no. 85-372
- SJR 181—East, Larry Robert, commended, pages 672, 782, 821, 860, Act no. 85-371
- SJR 182—Pat Arrington Building, Ranburne Nutrition Center, named, pages 673, 782, 821, 860, Act no. 85-370
- SR 183—Boyd, Elise, commended, page 707
- SR 184—Tally, John B., death mourned, page 707
- SR 185—Lightcap, Clement A., commended, page 717
- SJR 186—Spinal Cord Injury Awareness Week, designated, pages 718, 782, 821, 860, Act no. 85-369
- SJR 187—Smith, Freddie V., commended, pages 719, 782, 821, 860, Act no. 85-368
- SJR 188—Education in Excellence Program in Anniston, commended, pages 720, 782, 821, 860, Act no. 85-367
- SR 189—Board of Education, State, support expressed re: quality education, page 721
- SJR 190—Bank, Bert, commended, pages 731, 782, 821, 860, Act no. 85-366
- SR 191—Cockerham, John M., commended, page 732
- SR 192—Foote, Wilson H., commended, page 732
- SR 193—McGill, William O., death mourned, page 734
- SJR 194—Thompson, R. Wayne, commended, pages 735, 1269, 1276, 1357, Act no. 85-500
- SR 195—Wilson, Ham, commended, page 735
- SR 196—Hutcheson, Marlin McNeal, death mourned, page 741
- SR 197—Goggans, Mallette, commended, page 741
- SR 198—Ward, Thomas Nelson, commended, page 744
- SR 199—Mullins, Charles H., commended, page 745
- SJR 200—Galbraith, Ruth, commended, pages 746, 1270, 1276, 1357, Act no. 85-501
- SJR 201—Pizitz, Isadore, death mourned, pages 747, 1270, 1276, 1357, Act no. 85-502
- SR 202—Senate, special order calendar, page 749
- SR 203—Amari, John and Terri, commended, page 763
- SJR 204—President Ronald Reagan, memorialized re: proposed visit to German military cemetery, pages 799, 941
- SJR 205—Alabama Crippled Children Service, commended, pages 799, 1270, 1276, 1357, Act no. 85-503

- SR 206—Senate, special order calendar, page 803
- SJR 207—Gilbert, E. J. “Buster”, commended, pages 839, 1270, 1276, 1357, Act no. 85-504
- SR 208—Senate, special order calendar, page 888
- SJR 209—Soil Conservation Service, commended, pages 891, 1270, 1276, 1357, Act no. 85-505
- SJR 210—Blanding Family, commended, pages 892, 1270, 1276, 1357, Act no. 85-506
- SJR 211—Veitch, Robert, commended, pages 893, 1270, 1276, 1357, Act no. 85-507
- SR 212—Foster, Annie, commended, page 894
- SJR 213—Buris R. Boshell Diabetes Research and Education Hospital, Birmingham, named, pages 912, 1270, 1276, 1357, Act no. 85-508
- SR 214—Comer, Donald, Jr., commended, page 923
- SJR 215—National Peanut Festival and Alabama’s Peanut Industry, commended, pages 929, 949, 1131, 1247, Act no. 85-484
- SR 216—Moore, Jenny, commended, page 949
- SR 217—Baldwin County, advisory opinion requesting Commissioners salary relative to S.B. 622, page 956
- SR 218—Thornton, James, commended, page 977
- SJR 219—Folsom, James E., wished speedy recovery, pages 1002, 1270, 1277, 1357, Act no. 85-509
- SJR 220—Jackson County, Computer Study Committee, established, pages 1013, 1270, 1277, 1357, Act no. 85-510
- SR 221—Senate, special order calendar, page 1014
- SJR 222—Legislative Operations, Research and Services, joint committee, established, pages 1108, 1653
- SJR 223—Infant Mortality Rate, joint legislative committee established, to study, page 1109
- SJR 224—Youth Services Department, urged to call meeting of departments of the Southern states, re: emotionally disturbed juveniles, pages 1110, 1270, 1277, 1357, Act no. 85-511
- SJR 225—Moore, Isabell T., commended, page 1111
- SR 226—Advisory opinion of Supreme Court requested re: S.B. 638, page 1112
- SJR 227—Carpenter, Margaret A., commended, pages 1112, 1650, 1904, 1920, 1958, Act no. 85-670
- SJR 228—Carpenter, Margaret A., commended, pages 1114, 1271, 1277, 1357, Act no. 85-512
- SJR 229—Moore, Isabell T., commended, pages 1115, 1271, 1277, 1357, Act no. 85-513

- SR 230—Cleland, Joseph O., commended, page 1115
- SJR 231—Bevill, Tom, commended, pages 1157, 1904, 1920, 1958, Act no. 85-672
- SR 232—Sullins, Charles A., commended, page 1257
- SJR 233—Madison County, Commission, urged to meet at night, pages 1284, 1904, 1920, 1958, Act no. 85-671
- SR 234—Advisory opinion requested re: S.B. 622, page 1322
- SR 235—Senate, special order calendar, page 1356
- SJR 236—Advisory opinion requested re: H.B. 166, page 1366
- SR 237—Senate, special order calendar, page 1537
- SJR 238—Rutland, Goodloe, designated, "Chairman Emeritus" of Birmingham-Jefferson Civic Center, pages 1645, 1905, 1920, 1958, Act no. 85-674
- SJR 239—WLWI Radio Station, commended, pages 1646, 1905, 1920, 1958, Act no. 85-673
- SJR 240—Ellis, Zora, commended, pages 1646, 1905, 1921, 1958, Act no. 85-675
- SJR 241—Auburn University, commended, pages 1647, 1905, 1921, 1958, Act no. 85-676
- SR 242—Hill, A. J., Professor, commended, page 1648
- SR 243—Scott, Valtena Larkin, death mourned, page 1648
- SR 244—Floyd, Mrs. N. C., death mourned, page 1648
- SR 245—Andrews, William Hampton, death mourned, page 1648
- SJR 246—Universal Telephone, rates and services, Legislature's support of, expressed, pages 1648, 1905, 1921, 1958, Act no. 85-677
- SR 247—Mason, Glenys S., commended, page 1649
- SR 248—Troutman, Mary J., commended, page 1650
- SR 249—Lathan, Delvin, death mourned, page 1650
- SR 250—Rhinehart, Geoffrey R., commended, page 1650
- SR 251—Harris, Leroy F., commended, page 1650
- SR 252—Seebeck, Faye, commended, page 1654
- SR 253—Roberts, David D., commended, page 1654
- SR 254—Senate, special order calendar, page 1667
- SR 255—Oden, Emmett, honored posthumously, page 1678
- SR 256—Callahan, Shawn, commended, page 1680
- SR 257—Alexander, Glen, commended, page 1687
- SR 258—Starke, Mary B., commended, page 1690

- SJR 259—Alabama Trust Fund, Legislature reaffirming their position, page 1703
- SR 260—Carl Elliott Day, designated, page 1776
- SR 261—Gravlee, Vondal S., commended, page 1782
- SR 262—Senate, special order calendar, page 1808
- SJR 263—Alabama Poultry Week, designated, pages 1830, 1905, 1921, 1958, Act no. 85-678
- SR 264—Senate, special order calendar, page 1837
- SR 265—Babers, Alonzo, commended, page 1841
- SR 266—Leatherwood, Lillie, commended, page 1841
- SR 267—Smith, Calvin, commended, page 1841
- SR 268—Gambril, Donald C., commended, page 1841
- SR 269—Hanks, Mike, commended, page 1841
- SR 270—Jewell, Wanda, commended, page 1841
- SR 271—Higgins, Marguerite, commended, page 1841
- SR 272—Smith, Willie, commended, page 1842
- SR 273—Johansson, Per, commended, page 1842
- SR 274—Person, Chuck, commended, page 1842
- SR 275—Rosen, Mel, commended, page 1842
- SR 276—Tuttle, John, commended, page 1842
- SR 277—Glance, Harvey, commended, page 1842
- SR 278—Griffiths, Steve, commended, page 1842
- SR 279—Clanton, Reita, commended, page 1842
- SR 280—Gaines, Rowdy, commended, page 1842
- SR 281—King, Emmit, commended, page 1842
- SR 282—Retton, Mary Lou, commended, page 1842
- SR 283—Blantnick, Jeff, commended, page 1842
- SR 284—L. M. Berry and Company, commended, page 1842
- SR 285—Horn, Louis G., commended, page 1843
- SR 286—Averbuch, Jerome, commended, page 1843
- SR 287—Landrum, C. E., commended, page 1843
- SR 288—Evans, John W., commended, page 1843
- SR 289—Ritch, Ernest W., commended, page 1843
- SR 290—Esslinger, Margaret L., commended, page 1843
- SR 291—Lee, James Coleman, Jr., commended, page 1843

- SR 292—Mims, Henry Sanders, commended, page 1843
- SR 293—Sullins, Charles A., commended, page 1843
- SR 294—Trinity Presbyterian School Baseball Team, commended, page 1847
- SJR 295—Elliott, Carl, commended, pages 1853, 1905, 1921, 1958, Act no. 85-679
- SR 296—Goodrich, Henry C., commended, page 1854
- SR 297—United States Coast Guard Cutter, Eagle, welcomed to Mobile, page 1854
- SR 298—Federal Communications Commission, petitioned re: telephone exchange in Russell County, page 1855
- SR 299—Armstrong, G. L., commended, page 1855
- SR 300—Jackson County Technical School, commended, page 1855
- SR 301—Bevill, Tom, commended, page 1856
- SR 302—Booker Heights Development Corporation, commended, page 1863
- SR 303—Senate, special order calendar, page 1885
- SR 304—Blackmon, Jean, Beth Williams, and Betty Ziri, commended, page 1888
- SR 305—Reeltown High School, commended, page 1888
- SJR 306—U.S. Congress and Alabama Congressional Delegation, memorialized re: tax plan for timber industry, pages 1894, 1905, 1921, 1958, Act no. 85-680
- SR 307—Senate, special order calendar, pages 1921, 1922, 1923, 1925, 1926
- SR 308—Black, Duncan T., commended, page 1952

REGULAR SESSION 1985
NUMERICAL AND SHORT TITLE INDEX
HOUSE RESOLUTIONS

- HJR 2—Committee, to notify Governor of session, pages 41, 56, Act no. 85-142
- HJR 3—Legislature, joint session to hear Governor's address, pages 41, 56, Act no. 85-143
- HJR 4—Legislature, meeting days, pages 33, 50, Act no. 85-141
- HJR 5—Johnson, Roy, commended, pages 113, 152, Act no. 85-157
- HJR 6—Teague, John, commended, pages 113, 152, Act no. 85-158
- HJR 9—Imported Auto Tires, impact on Alabama manufacturers, joint committee, established, page 1499
- HJR 11—Goode, Rhoda, commended, pages 113, 152, Act no. 85-159
- HJR 12—Muscat, Susan, commended, pages 113, 152, Act no. 85-160
- HJR 13—Peary, Mrs. Joe, commended, pages 113, 152, Act no. 85-161
- HJR 14—Scruggs, William C., Jr., commended, pages 113, 152, Act no. 85-162
- HJR 15—Rivers, G. B., commended, pages 114, 152, Act no. 85-163
- HJR 16—Butler High School Soccer Team, commended, pages 112, 153, Act no. 85-174
- HJR 17—Jewell, Wanda, commended, pages 112, 153, Act no. 85-175
- HJR 18—Advertiser-Gleam, commended, pages 112, 154, Act no. 85-176
- HJR 20—Ingram, Bob, page 117
- HJR 24—Williams, Bryant F., commended, pages 114, 152, Act no. 85-164
- HJR 25—University of North Alabama Basketball Fans, commended, pages 114, 152, Act no. 85-165
- HJR 26—Lavender, Robert Raymond, commended, pages 114, 152, Act no. 85-166
- HJR 27—Sloan, Mr. and Mrs. William Pryor, commended, pages 114, 153, Act no. 85-167
- HJR 28—Hartley, Galata, commended, pages 114, 153, Act no. 85-168
- HJR 29—Gresham, Albert Ringo, death mourned, pages 114, 153, Act no. 85-169
- HJR 30—Smith, William K., commended, pages 115, 153, Act no. 85-170
- HJR 31—Hendrix, Betty Dunn, commended, pages 115, 153, Act no. 85-171
- HJR 32—Coumanis, Kathryn C., commended, pages 115, 153, Act no. 85-172

- HJR 34—Hornsby, William A., commended, pages 115, 153, Act no. 85-173
- HJR 35—Autauga County, County Commission, assume duties heretofore performed by foreman, page 116
- HJR 36—Legislature, meeting days, pages 118, 284
- HJR 38—General Federal of Women's Clubs-Alabama, commended, pages 116, 138, 167, Act no. 85-154
- HJR 39—Edwards, Jesse K., death mourned, pages 110, 154, Act no. 85-177
- HJR 40—Pleasant Grove High School Cheerleaders, commended, pages 111, 154, Act no. 85-178
- HJR 41—Social Security Taxes, Congress petitioned to relieve the states from collecting from political subdivisions, pages 111, 138, 167, Act no. 85-155
- HJR 42—Welford, Mr. and Mrs. Carl, congratulated, pages 111, 154, Act no. 85-179
- HJR 43—Smith, Riley, commended, pages 111, 154, Act no. 85-180
- HJR 45—Shannon, Harper, commended, pages 111, 154, Act no. 85-181
- HJR 46—Smith, Omelda, commended, pages 111, 154, Act no. 85-182
- HJR 47—Southern Regional Education Board's Annual Conference, joint legislative committee, established, pages 1088, 1136, Act no. 85-477
- HJR 50—Byrne, Mr. and Mrs. Walter Jackson, commended, pages 135, 151, Act no. 85-183
- HJR 52—Point Mallard Highway, portion of Ala. Highway 20, named, pages 165, 259, 311, Act no. 85-186
- HJR 53—Walsh, John, invited to address joint session of Legislature, pages 166, 196, Act no. 85-153
- HJR 66—Finances and Budgets, joint legislative committee, reporting date extended, pages 158, 168, Act no. 85-156
- HJR 71—Highway Department and Public Safety Department, urged to investigate traffic conditions on Highway 67 in Priceville, pages 255, 571, 596, Act no. 85-311
- HJR 72—Fire Ant Control, Alabama Congressional Delegation memorialized, pages 255, 1653, 1742, Act no. 85-559
- HJR 73—Harper, Wallace, commended, pages 255, 311, Act no. 85-187
- HJR 75—Williams, David H., death mourned, pages 255, 311, Act no. 85-188
- HJR 76—Thomas, J. Miles, commended, pages 255, 311, Act no. 85-189
- HJR 78—Mitchell, Terry, commended, pages 256, 311, Act no. 85-190
- HJR 79—Cedar Park-Edgewood Mind Olympics Team, commended, pages 256, 311, Act no. 85-191

- HJR 80—Gateway Industries, commended, pages 256, 311, Act no. 85-192
- HJR 81—University of South Alabama Athletic Program, commended, pages 866, 1652, 1743, Act no. 85-560
- HJR 82—Bellew, Laura Ann, commended, pages 256, 311, Act no. 85-193
- HJR 83—Bailey, Glen Owen, commended, pages 256, 311, Act no. 85-194
- HJR 84—Jones, Irene L., death mourned, pages 256, 311, Act no. 85-195
- HJR 85—Yelling, Alonzo, death mourned, pages 257, 311, Act no. 85-196
- HJR 86—Vaughn, Mary Frances, commended, pages 257, 312, Act no. 85-197
- HJR 91—Rains, Euclid, commended, pages 254, 312, Act no. 85-198
- HJR 92—Herman L. Brewington Armory in Moulton, named, pages 253, 1653, 1743, Act no. 85-561
- HJR 94—Jeff Sorrell Highway, portion of Alabama Highway 223, named, pages 253, 1653, 1743, Act no. 85-562
- HJR 95—Livengood, Ronald, commended, pages 253, 312, Act no. 85-199
- HJR 96—U.S. Congress memorialized, re: social security legislation, page 254
- HJR 98—Work Incentive Program, U.S. Congress petitioned to retain, pages 254, 421, 425, Act no. 85-232
- HJR 99—Alabama Baptist State Convention, commended, pages 253, 312, Act no. 85-201
- HJR 100—Pinson Valley High School, commended, pages 254, 312, Act no. 85-202
- HJR 104—Wallace, George C., and Winton M. Blount, commended, pages 277, 312, Act no. 85-203
- HJR 105—Bolling, Howard, commended, pages 277, 312, Act no. 85-204
- HJR 108—Gordon Terry Parkway, portion of Ala. Highway 24, named, pages 276, 1653, 1743, Act no. 85-563
- HJR 109—Roberts, Mr. and Mrs. James Hoyt, commended, pages 276, 313, Act no. 85-205
- HJR 111—Litchfield High School Basketball Team, commended, pages 276, 313, Act no. 85-206
- HJR 112—Etowah High School Basketball Team, commended, pages 276, 313, Act no. 85-207
- HJR 113—Selma Marchers, welcomed to Alabama, page 275
- HJR 115—Mahone, Mr. and Mrs. Eddie, commended, pages 320, 361, Act no. 85-224
- HJR 117—Legislature, meeting days, page 320
- HJR 118—Smith, Sonny, and Auburn University Basketball Team, commended, pages 360, 364, Act no. 85-209

- HJR 120—Stokes, Rev. and Mrs. Alfred J., commended, pages 358, 364, Act no. 85-210
- HJR 121—McGill-Toolen High School Soccer Team, commended, pages 358, 364, Act no. 85-211
- HJR 122—Dueitt, Malcolm D., commended, pages 358, 364, Act no. 85-212
- HJR 123—Page, Lewis Wendell, commended, pages 358, 364, Act no. 85-213
- HJR 124—Winters, Dora, commended, pages 358, 364, Act no. 85-214
- HJR 125—Aronov, Owen, commended, pages 358, 364, Act no. 85-215
- HJR 126—Wilder, George, and Locker Room, commended, pages 359, 364, Act no. 85-216
- HJR 127—McLemore, Harold, and Bud Skinner, commended, pages 359, 364, Act no. 85-217
- HJR 128—Henig Furs, Inc. commended, pages 359, 364, Act no. 85-218
- HJR 129—Zorn, Rhonda, commended, pages 359, 365, Act no. 85-223
- HJR 130—Hagler, Mr. and Mrs. Clyde, commended, pages 359, 365, Act no. 85-222
- HJR 135—Meadowview Christian School Football Team, commended, pages 359, 365, Act no. 85-221
- HJR 136—Southside High School Basketball Team, commended, pages 359, 364, Act no. 85-220
- HJR 137—Carter, John Frank, commended, pages 359, 364, Act no. 85-219
- HJR 139—Pleasant Grove High School Cheerleaders Day, designated, pages 447, 450, Act no. 85-267
- HJR 140—Athens State College Basketball Team, commended, pages 473, 540, Act no. 85-284
- HJR 141—Legislature, expressing safety and security re: Alabama banks and depository institutions, page 474
- HJR 142—Guthans, Robert A., commended, pages 474, 540, Act no. 85-285
- HJR 143—Davis, Leon, commended, pages 474, 540, Act no. 85-286
- HJR 145—Garvin, J. P., Jr., commended, pages 474, 540, Act no. 85-287
- HJR 146—Haynes, Mr. and Mrs. U. G., commended, pages 474, 540, Act no. 85-288
- HJR 148—Gray, Elzie, commended, pages 474, 540, Act no. 85-289
- HJR 150—Callan, Ruth Inez, death mourned, pages 474, 540, Act no. 85-290
- HJR 151—Loper, Curtis Melvin, death mourned, pages 474, 541, Act no. 85-291
- HJR 156—Irons, John J., Jr., commended, pages 479, 541, Act no. 85-292

- HJR 160—Delchamps, Alfred F., Jr., commended, pages 429, 1652, 1743, Act no. 85-564
- HJR 161—White, Mamie, commended, pages 429, 450, Act no. 85-268
- HJR 162—Brown, J. Lloyd, commended, pages 429, 450, Act no. 85-269
- HJR 164—Austin, Henry Ellis, death mourned, pages 479, 541, Act no. 85-293
- HJR 165—Sanford, Edwin, death mourned, pages 480, 541, Act no. 85-294
- HJR 166—Wallace, George C., commended, pages 480, 541, Act no. 85-295
- HJR 170—Alabama Legislative Congressional Advisory Committee on Farm Programs, established, page 475
- HJR 171—Legislature, opposition expressed re: sale of Conrail to Norfolk Southern, page 476
- HJR 173—Martin, Mr. and Mrs. Archie, commended, pages 476, 541, Act no. 85-296
- HJR 174—Richey, Mr. and Mrs. Marion C., commended, pages 476, 541, Act no. 85-297
- HJR 175—Bachus, Stuart, commended, pages 476, 541, Act no. 85-298
- HJR 177—Goolsby, Walter A., death mourned, pages 476, 541, Act no. 85-299
- HJR 182—National Mental Health Counselors Week, designated, pages 473, 542, Act no. 85-300
- HJR 184—Conrail, HJR 171, Regular Session 1984, rescinded, page 478
- HJR 185—Dean, Leonard Yancey, III, commended, pages 451, 463, Act no. 85-270
- HJR 188—Alabama Legislative Congressional Advisory Committee on Textiles, established, pages 477, 542, Act no. 85-301
- HJR 189—Phillips High School Basketball Team, commended, pages 472, 542, Act no. 85-302
- HJR 191—Mitchell, Colleen, commended, pages 472, 542, Act no. 85-303
- HJR 193—Powell, Mr. and Mrs. Dorsey J., commended, pages 472, 542, Act no. 85-304
- HJR 194—Esther Benson Week, designated, pages 472, 542, Act no. 85-305
- HJR 197—Moseley, Mr. and Mrs. Louia Lomax, commended, pages 472, 542, Act no. 85-306
- HJR 198—Legislature, joint session for School of Fine Arts performance, pages 478, 542, Act no. 85-307
- HJR 199—Etowah High School Varsity Cheerleaders, commended, pages 473, 542, Act no. 85-308
- HJR 202—Mobile County High School, commended, pages 473, 542, Act no. 85-309

- HJR 205—Lambert, Mr. and Mrs. Huey M., commended, pages 559, 565, Act no. 85-277
- HJR 206—Ashford High School Basketball Team and Coach Curt Barnes, commended, pages 559, 565, Act no. 85-278
- HJR 207—Job Corps Center, support for continued funding expressed, pages 536, 1653, 1743, Act no. 85-565
- HJR 209—Alabama Foundation for Educational Excellence, commended, pages 560, 565, Act no. 85-279
- HJR 213—Audubon, John J., bicentennial of birth commemorated, pages 592, 941, 968, Act no. 85-437
- HJR 214—Seibels, George G., Jr., wished speedy recovery, pages 738, 805, Act no. 85-390
- HJR 215—Conley, Fannie Thompson, commended, pages 668, 674, Act no. 85-346
- HJR 217—Jacksonville State University Basketball Team, commended, pages 669, 674, Act no. 85-347
- HJR 218—Grist YMCA Basketball Team, commended, pages 669, 674, Act no. 85-348
- HJR 219—Sanderson, Roy, commended, pages 669, 674, Act no. 85-349
- HJR 221—Langley, Jimmy, commended, pages 669, 674, Act no. 85-350
- HJR 222—Smith, Mr. and Mrs. Milford H., commended, pages 669, 674, Act no. 85-351
- HJR 223—Dendy, Kelton, commended, pages 669, 674, Act no. 85-352
- HJR 229—Auburn University School of Pharmacy, commended, pages 737, 805, Act no. 85-391
- HJR 230—Jacksonville State University Women's Gymnastics Team, commended, pages 737, 805, Act no. 85-392
- HJR 231—Jones, Bill, commended, pages 737, 805, Act no. 85-393
- HJR 234—Gulf Shores, name changed to City of Gulf Shores, pages 736, 805, Act no. 85-394
- HJR 238—Crenshaw, Jack, death mourned, pages 739, 805, Act no. 85-395
- HJR 239—Johnston, Thomas Alexander, III, death mourned, pages 739, 805, Act no. 85-396
- HJR 240—Hester, Walston, commended, pages 748, 805, Act no. 85-397
- HJR 249—Busby, Edwina Rebecca F., death mourned, pages 740, 805, Act no. 85-398
- HJR 250—Gray, Sidney J., death mourned, pages 740, 805, Act no. 85-399
- HJR 251—Tyrrell, Thomas M., commended, pages 740, 805, Act no. 85-400
- HJR 252—Williams, Steve, commended, pages 740, 805, Act no. 85-401
- HJR 253—Jackson, Bobby Joe, commended, pages 740, 805, Act no. 85-402

- HJR 254—Homewood High School Forensic Team, commended, pages 741, 806, Act no. 85-403
- HJR 257—Downing, Maurice A., death mourned, pages 739, 806, Act no. 85-404
- HJR 261—Walton, Sam, commended, pages 736, 806, Act no. 85-405
- HJR 262—McNab, Max, commended, pages 737, 806, Act no. 85-406
- HJR 263—Athens-Limestone Hospital Ambulance Service EMS team, commended, pages 741, 806, Act no. 85-407
- HJR 265—Smith, Freddie V., St. Clair County sheriff and law enforcement officers, commended, pages 742, 806, Act no. 85-408
- HJR 269—Abbett, Christopher G., commended, pages 865, 914, Act no. 85-414
- HJR 270—Smith, Elizabeth Gooden, commended, pages 865, 915, Act no. 85-415
- HJR 271—Lamar Leader, commended, pages 865, 915, Act no. 85-416
- HJR 272—Lamar Democrat, commended, pages 865, 915, Act no. 85-417
- HJR 273—West Alabama Gazette, commended, pages 865, 915, Act no. 85-418
- HJR 274—Times Record, commended, pages 865, 915, Act no. 85-419
- HJR 276—Lampton, Leslie B., commended, pages 865, 915, Act no. 85-420
- HJR 277—Jemison High School Band, commended, pages 866, 915, Act no. 85-421
- HJR 278—Eden, Tom, commended, pages 867, 915, Act no. 85-422
- HJR 281—Levie, Hoyt, commended, pages 867, 915, Act no. 85-423
- HJR 283—Patton, Leander R., commended, pages 867, 915, Act no. 85-424
- HJR 284—Douglas, Carl T., commended, pages 868, 915, Act no. 85-425
- HJR 285—University of Alabama-Huntsville Soccer Team, commended, pages 868, 915, Act no. 85-426
- HJR 286—University of Alabama-Huntsville Ice Hockey Team, commended, pages 868, 915, Act no. 85-427
- HJR 291—Alabama State Nurses Association, commended, pages 867, 916, Act no. 85-428
- HJR 293—Alabama Deep Sea Fishing Rodeo, commended, pages 867, 916, Act no. 85-429
- HJR 295—University of Alabama-Huntsville Women's Basketball Team, commended, pages 867, 916, Act no. 85-430
- HJR 297—Moore, Jenny, commended, pages 866, 916, Act no. 85-431
- HJR 302—Kennedy, Thelma McMillan, death mourned, pages 925, 931, Act no. 85-384

- HJR 303—U.S. Postal Service, memorialized re: closing of rural post offices, pages 950, 981, Act no. 85-444
- HJR 305—J. O. Johnson High School Football Team, commended, pages 952, 981, Act no. 85-445
- HJR 306—J. O. Johnson High School Girls Basketball Team, commended, pages 952, 981, Act no. 85-446
- HJR 307—Lal, R. B., commended, pages 952, 981, Act no. 85-447
- HJR 308—Hamilton, A. W. "Woody", Kenneth Storey and Bridgeport High School Basketball Team, commended, pages 952, 982, Act no. 85-448
- HJR 309—McClure, Terry Wayne, commended, pages 952, 982, Act no. 85-449
- HJR 312—Miller, Wallace, commended, pages 952, 982, Act no. 85-450
- HJR 313—Kitchen, A. N., Jr., death mourned, pages 952, 982, Act no. 85-451
- HJR 316—Erwin High School Academic Booster Club and Dot Sims, commended, pages 952, 982, Act no. 85-452
- HJR 320—Redden, Lamar, death mourned, pages 951, 982, Act no. 85-453
- HJR 321—Hartselle High School Lady Tigers Basketball Team, commended, pages 951, 982, Act no. 85-454
- HJR 322—Jacksonville State University Rifle Team, commended, pages 951, 982, Act no. 85-455
- HJR 323—Purcell, Charles Inge, death mourned, pages 951, 982, Act no. 85-456
- HJR 330—National Peanut Festival and Alabama's Peanut Industry, commended, pages 942, 968, Act no. 85-436
- HJR 335—Schulte, Julius Norman, death mourned, pages 1088, 1136, Act no. 85-476
- HJR 336—Moore, Douglas J., death mourned, pages 1088, 1137, Act no. 85-475
- HJR 337—U.S. Congress, memorialized re: incineration of hazardous wastes and the Boxer Legislation, page 1500
- HJR 339—Postero, Leonard A., commended, page 1499
- HJR 340—Hawkins, Eulene, commended, pages 1500, 1884, 1915, Act no. 85-744
- HJR 342—King, Brandy, commended, page 1500
- HJR 344—Auburn University, commended, page 1502
- HJR 345—Legislative Forestry Study Committee, extended, pages 1502, 1745, 1775, Act no. 85-612
- HJR 347—Pool, Sonia Letetia, and Bill Fuller commended, page 1502

- HJR 351—Hewitt-Trussville Jr. High School Wrestling Team, commended, page 1502
- HJR 355—Welfare, joint legislative committee, established, page 1503
- HJR 356—Paul E. Shoffeitt Laboratories at the Alabama Department of Forensic Sciences, named, page 1503
- HJR 357—James R. Chasteen Student Center at John C. Calhoun State Community College, named, pages 1503, 1884, 1915, Act no. 85-745
- HJR 358—Eppes, Joseph M., commended, page 1503
- HJR 361—Messer, Glenn E., commended, pages 1498, 1884, 1915, Act no. 85-746
- HJR 364—Safe Boating Week, designated, page 1498
- HJR 365—Bevill, Tom, honorary Marshall County citizenship bestowed, pages 1499, 1884, 1915, Act no. 85-747
- HJR 366—Reagan, Ronald, president, and U.S. Congress, memorialized re: free mailing service for the blind and visually impaired, page 1499
- HJR 367—Schaum, Bill, commended, page 1499
- HJR 371—Reagan, Ronald, president, U.S. Congress and Secretary of Agriculture, memorialized re: exemption of food aid programs from Cargo Preference Act, page 1498
- HJR 373—Halpin, Myra J., commended, page 1497
- HJR 374—Thomas, Maxie, commended, page 1497
- HJR 375—Carter, C.E., commended, pages 1498, 1884, 1915, Act no. 85-748
- HJR 378—Putnam, Curley, commended, page 1497
- HJR 380—Foreman, Tom, commended, page 1496
- HJR 381—Killian, Margaret, commended, page 1496
- HJR 383—Mallisham, Joseph, commended, page 1496
- HJR 384—Quality Micro Systems, Inc., commended, page 1496
- HJR 386—Mattei, James E., commended, page 1496
- HJR 389—Lamar County High School Football Team, commended, page 1496
- HJR 390—Millport High School Football Team, commended, page 1496
- HJR 393—Rural electrification administration, 50th anniversary noted, pages 1497, 1776, 1799, Act no. 85-536
- HJR 395—U.S. Congress and Alabama Congressional Delegation, memorialized re: tax plan pertaining to timber industry, page 1494
- HJR 397—Municipal government, joint legislative committee, established, pages 1492, 1654, 1654, 1743, Act no. 85-566
- HJR 406—Rains, Mr. and Mrs. Robert Emory, commended, page 1492

HJR 407—Rayburn, William Wrightman, commended, page 1492

HJR 408—Wilder, Julia P., commended, page 1492

HJR 409—Bozeman, Maggie S., commended, page 1492

HJR 411—Weeks, Raymond, death mourned, page 1491

HJR 412—Walker, John, commended, page 1491

HJR 413—Vaughan, Bill, commended, pages 1491, 1884, 1915, Act no. 85-749

HJR 414—Christian, Everlean, death mourned, page 1489

HJR 416—Claiborne-Murphy Bridge in Monroe County, named, page 1489

**REGULAR SESSION
ACT INDEX
1985 REGULAR SESSION**

Act No. 85- 141	—HJR	4
Act No. 85- 142	—HJR	2
Act No. 85- 143	—HJR	3
Act No. 85- 144	—SJR	4
Act No. 85- 145	—SJR	3
Act No. 85- 146	—SJR	22
Act No. 85- 147	—SJR	26
Act No. 85- 148	—SJR	18
Act No. 85- 149	—SJR	17
Act No. 85- 150	—SJR	13
Act No. 85- 151	—SJR	12
Act No. 85- 152	—SJR	7
Act No. 85- 153	—HJR	53
Act No. 85- 154	—HJR	38
Act No. 85- 155	—HJR	41
Act No. 85- 156	—HJR	66
Act No. 85- 157	—HJR	5
Act No. 85- 158	—HJR	6
Act No. 85- 159	—HJR	11
Act No. 85- 160	—HJR	12
Act No. 85- 161	—HJR	13
Act No. 85- 162	—HJR	14
Act No. 85- 163	—HJR	15
Act No. 85- 164	—HJR	24
Act No. 85- 165	—HJR	25
Act No. 85- 166	—HJR	26
Act No. 85- 167	—HJR	27
Act No. 85- 168	—HJR	28
Act No. 85- 169	—HJR	29
Act No. 85- 170	—HJR	30
Act No. 85- 171	—HJR	31
Act No. 85- 172	—HJR	32
Act No. 85- 173	—HJR	34
Act No. 85- 174	—HJR	16
Act No. 85- 175	—HJR	17
Act No. 85- 176	—HJR	18
Act No. 85- 177	—HJR	39
Act No. 85- 178	—HJR	40
Act No. 85- 179	—HJR	42
Act No. 85- 180	—HJR	43
Act No. 85- 181	—HJR	45
Act No. 85- 182	—HJR	46
Act No. 85- 183	—HJR	50
Act No. 85- 184	—SJR	6
Act No. 85- 185	—H	339
Act No. 85- 186	—HJR	52
Act No. 85- 187	—HJR	73
Act No. 85- 188	—HJR	75
Act No. 85- 189	—HJR	76
Act No. 85- 190	—HJR	78

Act No. 85- 191	—HJR	79
Act No. 85- 192	—HJR	80
Act No. 85- 193	—HJR	82
Act No. 85- 194	—HJR	83
Act No. 85- 195	—HJR	84
Act No. 85- 196	—HJR	85
Act No. 85- 197	—HJR	86
Act No. 85- 198	—HJR	91
Act No. 85- 199	—HJR	95
Act No. 85- 200	—H	345
Act No. 85- 201	—HJR	99
Act No. 85- 202	—HJR	100
Act No. 85- 203	—HJR	104
Act No. 85- 204	—HJR	105
Act No. 85- 205	—HJR	109
Act No. 85- 206	—HJR	111
Act No. 85- 207	—HJR	112
Act No. 85- 208	—H	297
Act No. 85- 209	—HJR	118
Act No. 85- 210	—HJR	120
Act No. 85- 211	—HJR	121
Act No. 85- 212	—HJR	122
Act No. 85- 213	—HJR	123
Act No. 85- 214	—HJR	124
Act No. 85- 215	—HJR	125
Act No. 85- 216	—HJR	126
Act No. 85- 217	—HJR	127
Act No. 85- 218	—HJR	128
Act No. 85- 219	—HJR	137
Act No. 85- 220	—HJR	136
Act No. 85- 221	—HJR	135
Act No. 85- 222	—HJR	130
Act No. 85- 223	—HJR	129
Act No. 85- 224	—HJR	115
Act No. 85- 225	—SJR	29
Act No. 85- 226	—SJR	35
Act No. 85- 227	—SJR	39
Act No. 85- 228	—S	264
Act No. 85- 229	—H	526
Act No. 85- 230	—H	208
Act No. 85- 231	—H	211
Act No. 85- 232	—HJR	98
Act No. 85- 233	—S	272
Act No. 85- 234	—S	89
Act No. 85- 235	—S	265
Act No. 85- 236	—S	48
Act No. 85- 237	—S	262
Act No. 85- 238	—S	117
Act No. 85- 239	—S	73
Act No. 85- 240	—SJR	42
Act No. 85- 241	—SJR	43
Act No. 85- 242	—SJR	46
Act No. 85- 243	—SJR	47
Act No. 85- 244	—SJR	48
Act No. 85- 245	—SJR	57
Act No. 85- 246	—SJR	65

Act No. 85- 247	—SJR	66
Act No. 85- 248	—SJR	69
Act No. 85- 249	—SJR	70
Act No. 85- 250	—SJR	71
Act No. 85- 251	—SJR	72
Act No. 85- 252	—SJR	73
Act No. 85- 253	—SJR	74
Act No. 85- 254	—SJR	75
Act No. 85- 255	—SJR	76
Act No. 85- 256	—SJR	77
Act No. 85- 257	—SJR	82
Act No. 85- 258	—SJR	83
Act No. 85- 259	—SJR	86
Act No. 85- 260	—SJR	88
Act No. 85- 261	—SJR	89
Act No. 85- 262	—SJR	90
Act No. 85- 263	—SJR	92
Act No. 85- 264	—SJR	93
Act No. 85- 265	—SJR	100
Act No. 85- 266	—SJR	101
Act No. 85- 267	—HJR	139
Act No. 85- 268	—HJR	161
Act No. 85- 269	—HJR	162
Act No. 85- 270	—HJR	185
Act No. 85- 271	—H	408
Act No. 85- 272	—H	315
Act No. 85- 273	—H	109
Act No. 85- 274	—H	107
Act No. 85- 275	—H	43
Act No. 85- 276	—H	42
Act No. 85- 277	—HJR	205
Act No. 85- 278	—HJR	206
Act No. 85- 279	—HJR	209
Act No. 85- 280	—SJR	102
Act No. 85- 281	—S	68
Act No. 85- 282	—S	273
Act No. 85- 283	—H	149
Act No. 85- 284	—HJR	140
Act No. 85- 285	—HJR	142
Act No. 85- 286	—HJR	143
Act No. 85- 287	—HJR	145
Act No. 85- 288	—HJR	146
Act No. 85- 289	—HJR	148
Act No. 85- 290	—HJR	150
Act No. 85- 291	—HJR	151
Act No. 85- 292	—HJR	156
Act No. 85- 293	—HJR	164
Act No. 85- 294	—HJR	165
Act No. 85- 295	—HJR	166
Act No. 85- 296	—HJR	173
Act No. 85- 297	—HJR	174
Act No. 85- 298	—HJR	175
Act No. 85- 299	—HJR	177
Act No. 85- 300	—HJR	182
Act No. 85- 301	—HJR	188
Act No. 85- 302	—HJR	189

Act No. 85- 303	—HJR	191
Act No. 85- 304	—HJR	193
Act No. 85- 305	—HJR	194
Act No. 85- 306	—HJR	197
Act No. 85- 307	—HJR	198
Act No. 85- 308	—HJR	199
Act No. 85- 309	—HJR	202
Act No. 85- 310	—S	270
Act No. 85- 311	—HJR	71
Act No. 85- 312	—H	176
Act No. 85- 313	—S	155
Act No. 85- 314	—S	409
Act No. 85- 315	—S	422
Act No. 85- 316	—S	410
Act No. 85- 317	—S	428
Act No. 85- 318	—S	407
Act No. 85- 319	—S	408
Act No. 85- 320	—SJR	105
Act No. 85- 321	—SJR	110
Act No. 85- 322	—SJR	111
Act No. 85- 323	—SJR	112
Act No. 85- 324	—SJR	126
Act No. 85- 325	—SJR	127
Act No. 85- 326	—SJR	132
Act No. 85- 327	—SJR	142
Act No. 85- 328	—SJR	143
Act No. 85- 329	—SJR	144
Act No. 85- 330	—SJR	145
Act No. 85- 331	—SJR	147
Act No. 85- 332	—H	152
Act No. 85- 333	—H	153
Act No. 85- 334	—H	154
Act No. 85- 335	—H	156
Act No. 85- 336	—H	158
Act No. 85- 337	—H	159
Act No. 85- 338	—H	164
Act No. 85- 339	—H	187
Act No. 85- 340	—H	439
Act No. 85- 341	—H	233
Act No. 85- 342	—H	235
Act No. 85- 343	—H	165
Act No. 85- 344	—H	538
Act No. 85- 345	—H	537
Act No. 85- 346	—HJR	215
Act No. 85- 347	—HJR	217
Act No. 85- 348	—HJR	218
Act No. 85- 349	—HJR	219
Act No. 85- 350	—HJR	221
Act No. 85- 351	—HJR	222
Act No. 85- 352	—HJR	223
Act No. 85- 353	—S	215
Act No. 85- 354	—SJR	153
Act No. 85- 355	—SJR	157
Act No. 85- 356	—SJR	158
Act No. 85- 357	—SJR	159
Act No. 85- 358	—S	191

Act No. 85- 359	—H	157
Act No. 85- 360	—H	151
Act No. 85- 361	—H	148
Act No. 85- 362	—H	184
Act No. 85- 363	—H	192
Act No. 85- 364	—H	268
Act No. 85- 365	—S	111
Act No. 85- 366	—SJR	190
Act No. 85- 367	—SJR	188
Act No. 85- 368	—SJR	187
Act No. 85- 369	—SJR	186
Act No. 85- 370	—SJR	182
Act No. 85- 371	—SJR	181
Act No. 85- 372	—SJR	180
Act No. 85- 373	—SJR	178
Act No. 85- 374	—SJR	172
Act No. 85- 375	—SJR	171
Act No. 85- 376	—SJR	170
Act No. 85- 377	—SJR	165
Act No. 85- 378	—SJR	166
Act No. 85- 379	—SJR	179
Act No. 85- 380	—SJR	163
Act No. 85- 381	—SJR	162
Act No. 85- 382	—SJR	161
Act No. 85- 383	—S	62
Act No. 85- 384	—HJR	302
Act No. 85- 385	—H	549
Act No. 85- 386	—H	540
Act No. 85- 387	—H	539
Act No. 85- 388	—H	99
Act No. 85- 389	—H	301
Act No. 85- 390	—HJR	214
Act No. 85- 391	—HJR	229
Act No. 85- 392	—HJR	230
Act No. 85- 393	—HJR	231
Act No. 85- 394	—HJR	234
Act No. 85- 395	—HJR	238
Act No. 85- 396	—HJR	239
Act No. 85- 397	—HJR	240
Act No. 85- 398	—HJR	249
Act No. 85- 399	—HJR	250
Act No. 85- 400	—HJR	251
Act No. 85- 401	—HJR	252
Act No. 85- 402	—HJR	253
Act No. 85- 403	—HJR	254
Act No. 85- 404	—HJR	257
Act No. 85- 405	—HJR	261
Act No. 85- 406	—HJR	262
Act No. 85- 407	—HJR	263
Act No. 85- 408	—HJR	265
Act No. 85- 409	—H	766
Act No. 85- 410	—H	777
Act No. 85- 411	—H	87
Act No. 85- 412	—H	837
Act No. 85- 413	—H	838
Act No. 85- 414	—HJR	269

Act No. 85-	415	—HJR	270
Act No. 85-	416	—HJR	271
Act No. 85-	417	—HJR	272
Act No. 85-	418	—HJR	273
Act No. 85-	419	—HJR	274
Act No. 85-	420	—HJR	276
Act No. 85-	421	—HJR	277
Act No. 85-	422	—HJR	278
Act No. 85-	423	—HJR	281
Act No. 85-	424	—HJR	283
Act No. 85-	425	—HJR	284
Act No. 85-	426	—HJR	285
Act No. 85-	427	—HJR	286
Act No. 85-	428	—HJR	291
Act No. 85-	429	—HJR	293
Act No. 85-	430	—HJR	295
Act No. 85-	431	—HJR	297
Act No. 85-	432	—H	639
Act No. 85-	433	—H	711
Act No. 85-	434	—H	748
Act No. 85-	435	—H	716
Act No. 85-	436	—HJR	330
Act No. 85-	437	—HJR	213
Act No. 85-	438	—H	127
Act No. 85-	439	—H	340
Act No. 85-	440	—H	463
Act No. 85-	441	—H	670
Act No. 85-	442	—H	695
Act No. 85-	443	—H	720
Act No. 85-	444	—HJR	303
Act No. 85-	445	—HJR	305
Act No. 85-	446	—HJR	306
Act No. 85-	447	—HJR	307
Act No. 85-	448	—HJR	308
Act No. 85-	449	—HJR	309
Act No. 85-	450	—HJR	312
Act No. 85-	451	—HJR	313
Act No. 85-	452	—HJR	316
Act No. 85-	453	—HJR	320
Act No. 85-	454	—HJR	321
Act No. 85-	455	—HJR	322
Act No. 85-	456	—HJR	323
Act No. 85-	457	—S	124
Act No. 85-	458	—SJR	8
Act No. 85-	459	—H	117
Act No. 85-	460	—S	680
Act No. 85-	461	—S	681
Act No. 85-	462	—H	125
Act No. 85-	463	—S	506
Act No. 85-	464	—S	594
Act No. 85-	465	—S	607
Act No. 85-	466	—H	166
Act No. 85-	467	—H	715
Act No. 85-	468	—H	717
Act No. 85-	469	—H	731
Act No. 85-	470	—H	732

Act No. 85- 471	—H	754
Act No. 85- 472	—H	805
Act No. 85- 473	—H	806
Act No. 85- 474	—H	897
Act No. 85- 475	—HJR	336
Act No. 85- 476	—HJR	335
Act No. 85- 477	—HJR	47
Act No. 85- 478	—H	697
Act No. 85- 479	—H	624
Act No. 85- 480	—S	512
Act No. 85- 481	—S	602
Act No. 85- 482	—S	628
Act No. 85- 483	—S	600
Act No. 85- 484	—SJR	215
Act No. 85- 485	—S	601
Act No. 85- 486	—S	604
Act No. 85- 487	—S	603
Act No. 85- 488	—S	633
Act No. 85- 489	—H	178
Act No. 85- 490	—H	180
Act No. 85- 491	—H	185
Act No. 85- 492	—H	437
Act No. 85- 493	—H	556
Act No. 85- 494	—H	440
Act No. 85- 495	—H	464
Act No. 85- 496	—H	616
Act No. 85- 497	—H	917
Act No. 85- 498	—H	918
Act No. 85- 499	—S	130
Act No. 85- 500	—SJR	194
Act No. 85- 501	—SJR	200
Act No. 85- 502	—SJR	201
Act No. 85- 503	—SJR	205
Act No. 85- 504	—SJR	207
Act No. 85- 505	—SJR	209
Act No. 85- 506	—SJR	210
Act No. 85- 507	—SJR	211
Act No. 85- 508	—SJR	213
Act No. 85- 509	—SJR	219
Act No. 85- 510	—SJR	220
Act No. 85- 511	—SJR	224
Act No. 85- 512	—SJR	228
Act No. 85- 513	—SJR	229
Act No. 85- 514	—S	695
Act No. 85- 515	—H	669
Act No. 85- 516	—H	331
Act No. 85- 517	—H	220
Act No. 85- 518	—S	88
Act No. 85- 519	—S	107
Act No. 85- 520	—H	861
Act No. 85- 521	—H	736
Act No. 85- 522	—H	168
Act No. 85- 523	—S	636
Act No. 85- 524	—H	893
Act No. 85- 525	—S	121
Act No. 85- 526	—H	128

Act No. 85- 527	—H	412
Act No. 85- 528	—H	738
Act No. 85- 529	—H	768
Act No. 85- 530	—H	842
Act No. 85- 531	—H	996
Act No. 85- 532	—H	843
Act No. 85- 533	—H	921
Act No. 85- 534	—H	1041
Act No. 85- 535	—H	1052
Act No. 85- 536	—HJR	393
Act No. 85- 537	—H	940
Act No. 85- 538	—H	936
Act No. 85- 539	—H	332
Act No. 85- 540	—H	1042
Act No. 85- 541	—H	544
Act No. 85- 542	—S	7
Act No. 85- 543	—S	29
Act No. 85- 544	—S	86
Act No. 85- 545	—S	87
Act No. 85- 546	—S	276
Act No. 85- 547	—S	286
Act No. 85- 548	—S	287
Act No. 85- 549	—S	492
Act No. 85- 550	—H	309
Act No. 85- 551	—H	851
Act No. 85- 552	—H	952
Act No. 85- 553	—H	962
Act No. 85- 554	—H	973
Act No. 85- 555	—H	1000
Act No. 85- 556	—H	1012
Act No. 85- 557	—H	1028
Act No. 85- 558	—H	1030
Act No. 85- 559	—HJR	72
Act No. 85- 560	—HJR	81
Act No. 85- 561	—HJR	92
Act No. 85- 562	—HJR	94
Act No. 85- 563	—HJR	108
Act No. 85- 564	—HJR	160
Act No. 85- 565	—HJR	207
Act No. 85- 566	—HJR	397
Act No. 85- 567	—H	421
Act No. 85- 568	—H	797
Act No. 85- 569	—H	960
Act No. 85- 570	—H	980
Act No. 85- 571	—H	1005
Act No. 85- 572	—H	1053
Act No. 85- 573	—H	1061
Act No. 85- 574	—S	140
Act No. 85- 575	—H	88
Act No. 85- 576	—H	902
Act No. 85- 577	—H	1014
Act No. 85- 578	—H	850
Act No. 85- 579	—H	791
Act No. 85- 580	—H	790
Act No. 85- 581	—H	179
Act No. 85- 582	—H	655

Act No. 85- 583	—H	756
Act No. 85- 584	—H	880
Act No. 85- 585	—H	881
Act No. 85- 586	—H	882
Act No. 85- 587	—H	883
Act No. 85- 588	—H	955
Act No. 85- 589	—H	857
Act No. 85- 590	—H	85
Act No. 85- 591	—H	604
Act No. 85- 592	—H	721
Act No. 85- 593	—H	555
Act No. 85- 594	—H	1008
Act No. 85- 595	—H	562
Act No. 85- 596	—H	631
Act No. 85- 597	—H	671
Act No. 85- 598	—H	859
Act No. 85- 599	—H	972
Act No. 85- 600	—H	1040
Act No. 85- 601	—H	694
Act No. 85- 602	—H	570
Act No. 85- 603	—H	571
Act No. 85- 604	—H	572
Act No. 85- 605	—H	574
Act No. 85- 606	—H	687
Act No. 85- 607	—H	903
Act No. 85- 608	—H	982
Act No. 85- 609	—H	1006
Act No. 85- 610	—H	1013
Act No. 85- 611	—H	729
Act No. 85- 612	—HJR	345
Act No. 85- 613	—H	155
Act No. 85- 614	—H	735
Act No. 85- 615	—H	734
Act No. 85- 616	—H	696
Act No. 85- 617	—H	680
Act No. 85- 618	—H	656
Act No. 85- 619	—H	496
Act No. 85- 620	—H	334
Act No. 85- 621	—H	912
Act No. 85- 622	—H	915
Act No. 85- 623	—H	1002
Act No. 85- 624	—H	1004
Act No. 85- 625	—H	1018
Act No. 85- 626	—H	1047
Act No. 85- 627	—H	1067
Act No. 85- 628	—H	1069
Act No. 85- 629	—S	707
Act No. 85- 630	—S	35
Act No. 85- 631	—S	212
Act No. 85- 632	—S	637
Act No. 85- 633	—S	705
Act No. 85- 634	—S	706
Act No. 85- 635	—S	585
Act No. 85- 636	—S	584
Act No. 85- 637	—S	240
Act No. 85- 638	—S	23

Act No. 85- 639	—S	691
Act No. 85- 640	—S	643
Act No. 85- 641	—S	660
Act No. 85- 642	—S	280
Act No. 85- 643	—S	614
Act No. 85- 644	—S	122
Act No. 85- 645	—H	114
Act No. 85- 646	—H	72
Act No. 85- 647	—H	311
Act No. 85- 648	—H	1023
Act No. 85- 649	—S	285
Act No. 85- 650	—S	672
Act No. 85- 651	—S	453
Act No. 85- 652	—S	12
Act No. 85- 653	—S	162
Act No. 85- 654	—S	487
Act No. 85- 655	—S	450
Act No. 85- 656	—S	94
Act No. 85- 657	—S	66
Act No. 85- 658	—S	435
Act No. 85- 659	—S	555
Act No. 85- 660	—S	641
Act No. 85- 661	—S	411
Act No. 85- 662	—S	305
Act No. 85- 663	—S	386
Act No. 85- 664	—S	649
Act No. 85- 665	—S	511
Act No. 85- 666	—S	218
Act No. 85- 667	—SJR	114
Act No. 85- 668	—SJR	50
Act No. 85- 669	—SJR	123
Act No. 85- 670	—SJR	227
Act No. 85- 671	—SJR	233
Act No. 85- 672	—SJR	231
Act No. 85- 673	—SJR	239
Act No. 85- 674	—SJR	238
Act No. 85- 675	—SJR	240
Act No. 85- 676	—SJR	241
Act No. 85- 677	—SJR	246
Act No. 85- 678	—SJR	263
Act No. 85- 679	—SJR	295
Act No. 85- 680	—SJR	306
Act No. 85- 681	—H	941
Act No. 85- 682	—H	945
Act No. 85- 683	—H	920
Act No. 85- 684	—H	1056
Act No. 85- 685	—H	1062
Act No. 85- 686	—H	999
Act No. 85- 687	—H	6
Act No. 85- 688	—H	606
Act No. 85- 689	—H	146
Act No. 85- 690	—H	3
Act No. 85- 691	—H	600
Act No. 85- 692	—H	707
Act No. 85- 693	—H	771
Act No. 85- 694	—H	954

Act No. 85- 695	—H	1059
Act No. 85- 696	—H	602
Act No. 85- 697	—H	95
Act No. 85- 698	—H	928
Act No. 85- 699	—H	946
Act No. 85- 700	—H	58
Act No. 85- 701	—H	89
Act No. 85- 702	—H	194
Act No. 85- 703	—H	344
Act No. 85- 704	—H	136
Act No. 85- 705	—H	163
Act No. 85- 706	—H	546
Act No. 85- 707	—H	580
Act No. 85- 708	—H	581
Act No. 85- 709	—H	617
Act No. 85- 710	—H	645
Act No. 85- 711	—H	706
Act No. 85- 712	—H	782
Act No. 85- 713	—H	807
Act No. 85- 714	—H	810
Act No. 85- 715	—H	812
Act No. 85- 716	—H	811
Act No. 85- 717	—H	813
Act No. 85- 718	—H	816
Act No. 85- 719	—H	821
Act No. 85- 720	—H	830
Act No. 85- 721	—H	852
Act No. 85- 722	—H	853
Act No. 85- 723	—H	864
Act No. 85- 724	—H	896
Act No. 85- 725	—H	898
Act No. 85- 726	—H	899
Act No. 85- 727	—H	906
Act No. 85- 728	—H	949
Act No. 85- 729	—H	995
Act No. 85- 730	—H	1011
Act No. 85- 731	—H	1017
Act No. 85- 732	—H	1065
Act No. 85- 733	—H	1074
Act No. 85- 734	—H	1075
Act No. 85- 735	—H	614
Act No. 85- 736	—H	547
Act No. 85- 737	—H	579
Act No. 85- 738	—H	603
Act No. 85- 739	—H	841
Act No. 85- 740	—H	900
Act No. 85- 741	—H	814
Act No. 85- 742	—H	947
Act No. 85- 743	—H	939
Act No. 85- 744	—HJR	340
Act No. 85- 745	—HJR	357
Act No. 85- 746	—HJR	361
Act No. 85- 747	—HJR	365
Act No. 85- 748	—HJR	375
Act No. 85- 749	—HJR	413
Act No. 85- 750	—H	327

Act No. 85- 751	—H	280
Act No. 85- 752	—H	667
Act No. 85- 753	—H	627
Act No. 85- 754	—H	542
Act No. 85- 755	—H	590
Act No. 85- 756	—H	1045
Act No. 85- 757	—H	626
Act No. 85- 758	—H	64
Act No. 85- 759	—H	115
Act No. 85- 760	—H	854

REGULAR SESSION**ACT INDEX****1985 REGULAR SESSION**

H	3	—Act No. 85- 690
H	6	—Act No. 85- 687
H	42	—Act No. 85- 276
H	43	—Act No. 85- 275
H	58	—Act No. 85- 700
H	64	—Act No. 85- 758
H	72	—Act No. 85- 646
H	85	—Act No. 85- 590
H	87	—Act No. 85- 411
H	88	—Act No. 85- 575
H	89	—Act No. 85- 701
H	95	—Act No. 85- 697
H	99	—Act No. 85- 388
H	107	—Act No. 85- 274
H	109	—Act No. 85- 273
H	114	—Act No. 85- 645
H	115	—Act No. 85- 759
H	117	—Act No. 85- 459
H	125	—Act No. 85- 462
H	127	—Act No. 85- 438
H	128	—Act No. 85- 526
H	136	—Act No. 85- 704
H	146	—Act No. 85- 689
H	148	—Act No. 85- 361
H	149	—Act No. 85- 283
H	151	—Act No. 85- 360
H	152	—Act No. 85- 332
H	153	—Act No. 85- 333
H	154	—Act No. 85- 334
H	155	—Act No. 85- 613
H	156	—Act No. 85- 335
H	157	—Act No. 85- 359
H	158	—Act No. 85- 336
H	159	—Act No. 85- 337
H	163	—Act No. 85- 705
H	164	—Act No. 85- 338
H	165	—Act No. 85- 343
H	166	—Act No. 85- 466
H	168	—Act No. 85- 522
H	176	—Act No. 85- 312
H	178	—Act No. 85- 489
H	179	—Act No. 85- 581
H	180	—Act No. 85- 490
H	184	—Act No. 85- 362
H	185	—Act No. 85- 491
H	187	—Act No. 85- 339
H	192	—Act No. 85- 363
H	194	—Act No. 85- 702
H	208	—Act No. 85- 230
H	211	—Act No. 85- 231

H	220	—Act No. 85-	517
H	233	—Act No. 85-	341
H	235	—Act No. 85-	342
H	268	—Act No. 85-	364
H	280	—Act No. 85-	751
H	297	—Act No. 85-	208
H	301	—Act No. 85-	389
H	309	—Act No. 85-	550
H	311	—Act No. 85-	647
H	315	—Act No. 85-	272
H	327	—Act No. 85-	750
H	331	—Act No. 85-	516
H	332	—Act No. 85-	539
H	334	—Act No. 85-	620
H	339	—Act No. 85-	185
H	340	—Act No. 85-	439
H	344	—Act No. 85-	703
H	345	—Act No. 85-	200
H	408	—Act No. 85-	271
H	412	—Act No. 85-	527
H	421	—Act No. 85-	567
H	437	—Act No. 85-	492
H	439	—Act No. 85-	340
H	440	—Act No. 85-	494
H	463	—Act No. 85-	440
H	464	—Act No. 85-	495
H	496	—Act No. 85-	619
H	526	—Act No. 85-	229
H	537	—Act No. 85-	345
H	538	—Act No. 85-	344
H	539	—Act No. 85-	387
H	540	—Act No. 85-	386
H	542	—Act No. 85-	754
H	544	—Act No. 85-	541
H	546	—Act No. 85-	706
H	547	—Act No. 85-	736
H	549	—Act No. 85-	385
H	555	—Act No. 85-	593
H	556	—Act No. 85-	493
H	562	—Act No. 85-	595
H	570	—Act No. 85-	602
H	571	—Act No. 85-	603
H	572	—Act No. 85-	604
H	574	—Act No. 85-	605
H	579	—Act No. 85-	737
H	580	—Act No. 85-	707
H	581	—Act No. 85-	708
H	590	—Act No. 85-	755
H	600	—Act No. 85-	691
H	602	—Act No. 85-	696
H	603	—Act No. 85-	738
H	604	—Act No. 85-	591
H	606	—Act No. 85-	688
H	614	—Act No. 85-	735
H	616	—Act No. 85-	496
H	617	—Act No. 85-	709

H	624	—Act	No. 85-	479
H	626	—Act	No. 85-	757
H	627	—Act	No. 85-	753
H	631	—Act	No. 85-	596
H	639	—Act	No. 85-	432
H	645	—Act	No. 85-	710
H	655	—Act	No. 85-	582
H	656	—Act	No. 85-	618
H	667	—Act	No. 85-	752
H	669	—Act	No. 85-	515
H	670	—Act	No. 85-	441
H	671	—Act	No. 85-	597
H	680	—Act	No. 85-	617
H	687	—Act	No. 85-	606
H	694	—Act	No. 85-	601
H	695	—Act	No. 85-	442
H	696	—Act	No. 85-	616
H	697	—Act	No. 85-	478
H	706	—Act	No. 85-	711
H	707	—Act	No. 85-	692
H	711	—Act	No. 85-	433
H	715	—Act	No. 85-	467
H	716	—Act	No. 85-	435
H	717	—Act	No. 85-	468
H	720	—Act	No. 85-	443
H	721	—Act	No. 85-	592
H	729	—Act	No. 85-	611
H	731	—Act	No. 85-	469
H	732	—Act	No. 85-	470
H	734	—Act	No. 85-	615
H	735	—Act	No. 85-	614
H	736	—Act	No. 85-	521
H	738	—Act	No. 85-	528
H	748	—Act	No. 85-	434
H	754	—Act	No. 85-	471
H	756	—Act	No. 85-	583
H	766	—Act	No. 85-	409
H	768	—Act	No. 85-	529
H	771	—Act	No. 85-	693
H	777	—Act	No. 85-	410
H	782	—Act	No. 85-	712
H	790	—Act	No. 85-	580
H	791	—Act	No. 85-	579
H	797	—Act	No. 85-	568
H	805	—Act	No. 85-	472
H	806	—Act	No. 85-	473
H	807	—Act	No. 85-	713
H	810	—Act	No. 85-	714
H	811	—Act	No. 85-	716
H	812	—Act	No. 85-	715
H	813	—Act	No. 85-	717
H	814	—Act	No. 85-	741
H	816	—Act	No. 85-	718
H	821	—Act	No. 85-	719
H	830	—Act	No. 85-	720
H	837	—Act	No. 85-	412

H	838	—Act No. 85-	413
H	841	—Act No. 85-	739
H	842	—Act No. 85-	530
H	843	—Act No. 85-	532
H	850	—Act No. 85-	578
H	851	—Act No. 85-	551
H	852	—Act No. 85-	721
H	853	—Act No. 85-	722
H	854	—Act No. 85-	760
H	857	—Act No. 85-	589
H	859	—Act No. 85-	598
H	861	—Act No. 85-	520
H	864	—Act No. 85-	723
H	880	—Act No. 85-	584
H	881	—Act No. 85-	585
H	882	—Act No. 85-	586
H	883	—Act No. 85-	587
H	893	—Act No. 85-	524
H	896	—Act No. 85-	724
H	897	—Act No. 85-	474
H	898	—Act No. 85-	725
H	899	—Act No. 85-	726
H	900	—Act No. 85-	740
H	902	—Act No. 85-	576
H	903	—Act No. 85-	607
H	906	—Act No. 85-	727
H	912	—Act No. 85-	621
H	915	—Act No. 85-	622
H	917	—Act No. 85-	497
H	918	—Act No. 85-	498
H	920	—Act No. 85-	683
H	921	—Act No. 85-	533
H	928	—Act No. 85-	698
H	936	—Act No. 85-	538
H	939	—Act No. 85-	743
H	940	—Act No. 85-	537
H	941	—Act No. 85-	681
H	945	—Act No. 85-	682
H	946	—Act No. 85-	699
H	947	—Act No. 85-	742
H	949	—Act No. 85-	728
H	952	—Act No. 85-	552
H	954	—Act No. 85-	694
H	955	—Act No. 85-	588
H	960	—Act No. 85-	569
H	962	—Act No. 85-	553
H	972	—Act No. 85-	599
H	973	—Act No. 85-	554
H	980	—Act No. 85-	570
H	982	—Act No. 85-	608
H	995	—Act No. 85-	729
H	996	—Act No. 85-	531
H	999	—Act No. 85-	686
H	1000	—Act No. 85-	555
H	1002	—Act No. 85-	623
H	1004	—Act No. 85-	624

H	1005	—Act No. 85-	571
H	1006	—Act No. 85-	609
H	1008	—Act No. 85-	594
H	1011	—Act No. 85-	730
H	1012	—Act No. 85-	556
H	1013	—Act No. 85-	610
H	1014	—Act No. 85-	577
H	1017	—Act No. 85-	731
H	1018	—Act No. 85-	625
H	1023	—Act No. 85-	648
H	1028	—Act No. 85-	557
H	1030	—Act No. 85-	558
H	1040	—Act No. 85-	600
H	1041	—Act No. 85-	534
H	1042	—Act No. 85-	540
H	1045	—Act No. 85-	756
H	1047	—Act No. 85-	626
H	1052	—Act No. 85-	535
H	1053	—Act No. 85-	572
H	1056	—Act No. 85-	684
H	1059	—Act No. 85-	695
H	1061	—Act No. 85-	573
H	1062	—Act No. 85-	685
H	1065	—Act No. 85-	732
H	1067	—Act No. 85-	627
H	1069	—Act No. 85-	628
H	1074	—Act No. 85-	733
H	1075	—Act No. 85-	734
HJR	2	—Act No. 85-	142
HJR	3	—Act No. 85-	143
HJR	4	—Act No. 85-	141
HJR	5	—Act No. 85-	157
HJR	6	—Act No. 85-	158
HJR	11	—Act No. 85-	159
HJR	12	—Act No. 85-	160
HJR	13	—Act No. 85-	161
HJR	14	—Act No. 85-	162
HJR	15	—Act No. 85-	163
HJR	16	—Act No. 85-	174
HJR	17	—Act No. 85-	175
HJR	18	—Act No. 85-	176
HJR	24	—Act No. 85-	164
HJR	25	—Act No. 85-	165
HJR	26	—Act No. 85-	166
HJR	27	—Act No. 85-	167
HJR	28	—Act No. 85-	168
HJR	29	—Act No. 85-	169
HJR	30	—Act No. 85-	170
HJR	31	—Act No. 85-	171
HJR	32	—Act No. 85-	172
HJR	34	—Act No. 85-	173
HJR	38	—Act No. 85-	154
HJR	39	—Act No. 85-	177
HJR	40	—Act No. 85-	178
HJR	41	—Act No. 85-	155
HJR	42	—Act No. 85-	179

HJR 43	—Act No. 85-	180
HJR 45	—Act No. 85-	181
HJR 46	—Act No. 85-	182
HJR 47	—Act No. 85-	477
HJR 50	—Act No. 85-	183
HJR 52	—Act No. 85-	186
HJR 53	—Act No. 85-	153
HJR 66	—Act No. 85-	156
HJR 71	—Act No. 85-	311
HJR 72	—Act No. 85-	559
HJR 73	—Act No. 85-	187
HJR 75	—Act No. 85-	188
HJR 76	—Act No. 85-	189
HJR 78	—Act No. 85-	190
HJR 79	—Act No. 85-	191
HJR 80	—Act No. 85-	192
HJR 81	—Act No. 85-	560
HJR 82	—Act No. 85-	193
HJR 83	—Act No. 85-	194
HJR 84	—Act No. 85-	195
HJR 85	—Act No. 85-	196
HJR 86	—Act No. 85-	197
HJR 91	—Act No. 85-	198
HJR 92	—Act No. 85-	561
HJR 94	—Act No. 85-	562
HJR 95	—Act No. 85-	199
HJR 98	—Act No. 85-	232
HJR 99	—Act No. 85-	201
HJR 100	—Act No. 85-	202
HJR 104	—Act No. 85-	203
HJR 105	—Act No. 85-	204
HJR 108	—Act No. 85-	563
HJR 109	—Act No. 85-	205
HJR 111	—Act No. 85-	206
HJR 112	—Act No. 85-	207
HJR 115	—Act No. 85-	224
HJR 118	—Act No. 85-	209
HJR 120	—Act No. 85-	210
HJR 121	—Act No. 85-	211
HJR 122	—Act No. 85-	212
HJR 123	—Act No. 85-	213
HJR 124	—Act No. 85-	214
HJR 125	—Act No. 85-	215
HJR 126	—Act No. 85-	216
HJR 127	—Act No. 85-	217
HJR 128	—Act No. 85-	218
HJR 129	—Act No. 85-	223
HJR 130	—Act No. 85-	222
HJR 135	—Act No. 85-	221
HJR 136	—Act No. 85-	220
HJR 137	—Act No. 85-	219
HJR 139	—Act No. 85-	267
HJR 140	—Act No. 85-	284
HJR 142	—Act No. 85-	285
HJR 143	—Act No. 85-	286
HJR 145	—Act No. 85-	287

HJR 146 —Act No. 85- 288
HJR 148 —Act No. 85- 289
HJR 150 —Act No. 85- 290
HJR 151 —Act No. 85- 291
HJR 156 —Act No. 85- 292
HJR 160 —Act No. 85- 564
HJR 161 —Act No. 85- 268
HJR 162 —Act No. 85- 269
HJR 164 —Act No. 85- 293
HJR 165 —Act No. 85- 294
HJR 166 —Act No. 85- 295
HJR 173 —Act No. 85- 296
HJR 174 —Act No. 85- 297
HJR 175 —Act No. 85- 298
HJR 177 —Act No. 85- 299
HJR 182 —Act No. 85- 300
HJR 185 —Act No. 85- 270
HJR 188 —Act No. 85- 301
HJR 189 —Act No. 85- 302
HJR 191 —Act No. 85- 303
HJR 193 —Act No. 85- 304
HJR 194 —Act No. 85- 305
HJR 197 —Act No. 85- 306
HJR 198 —Act No. 85- 307
HJR 199 —Act No. 85- 308
HJR 202 —Act No. 85- 309
HJR 205 —Act No. 85- 277
HJR 206 —Act No. 85- 278
HJR 207 —Act No. 85- 565
HJR 209 —Act No. 85- 279
HJR 213 —Act No. 85- 437
HJR 214 —Act No. 85- 390
HJR 215 —Act No. 85- 346
HJR 217 —Act No. 85- 347
HJR 218 —Act No. 85- 348
HJR 219 —Act No. 85- 349
HJR 221 —Act No. 85- 350
HJR 222 —Act No. 85- 351
HJR 223 —Act No. 85- 352
HJR 229 —Act No. 85- 391
HJR 230 —Act No. 85- 392
HJR 231 —Act No. 85- 393
HJR 234 —Act No. 85- 394
HJR 238 —Act No. 85- 395
HJR 239 —Act No. 85- 396
HJR 240 —Act No. 85- 397
HJR 249 —Act No. 85- 398
HJR 250 —Act No. 85- 399
HJR 251 —Act No. 85- 400
HJR 252 —Act No. 85- 401
HJR 253 —Act No. 85- 402
HJR 254 —Act No. 85- 403
HJR 257 —Act No. 85- 404
HJR 261 —Act No. 85- 405
HJR 262 —Act No. 85- 406
HJR 263 —Act No. 85- 407

HJR	265	—Act No. 85-	408
HJR	269	—Act No. 85-	414
HJR	270	—Act No. 85-	415
HJR	271	—Act No. 85-	416
HJR	272	—Act No. 85-	417
HJR	273	—Act No. 85-	418
HJR	274	—Act No. 85-	419
HJR	276	—Act No. 85-	420
HJR	277	—Act No. 85-	421
HJR	278	—Act No. 85-	422
HJR	281	—Act No. 85-	423
HJR	283	—Act No. 85-	424
HJR	284	—Act No. 85-	425
HJR	285	—Act No. 85-	426
HJR	286	—Act No. 85-	427
HJR	291	—Act No. 85-	428
HJR	293	—Act No. 85-	429
HJR	295	—Act No. 85-	430
HJR	297	—Act No. 85-	431
HJR	302	—Act No. 85-	384
HJR	303	—Act No. 85-	444
HJR	305	—Act No. 85-	445
HJR	306	—Act No. 85-	446
HJR	307	—Act No. 85-	447
HJR	308	—Act No. 85-	448
HJR	309	—Act No. 85-	449
HJR	312	—Act No. 85-	450
HJR	313	—Act No. 85-	451
HJR	316	—Act No. 85-	452
HJR	320	—Act No. 85-	453
HJR	321	—Act No. 85-	454
HJR	322	—Act No. 85-	455
HJR	323	—Act No. 85-	456
HJR	330	—Act No. 85-	436
HJR	335	—Act No. 85-	476
HJR	336	—Act No. 85-	475
HJR	340	—Act No. 85-	744
HJR	345	—Act No. 85-	612
HJR	357	—Act No. 85-	745
HJR	361	—Act No. 85-	746
HJR	365	—Act No. 85-	747
HJR	375	—Act No. 85-	748
HJR	393	—Act No. 85-	536
HJR	397	—Act No. 85-	566
HJR	413	—Act No. 85-	749
S	7	—Act No. 85-	542
S	12	—Act No. 85-	652
S	23	—Act No. 85-	638
S	29	—Act No. 85-	543
S	35	—Act No. 85-	630
S	48	—Act No. 85-	236
S	62	—Act No. 85-	383
S	66	—Act No. 85-	657
S	68	—Act No. 85-	281
S	73	—Act No. 85-	239
S	86	—Act No. 85-	544

S	87	—Act No. 85- 545
S	88	—Act No. 85- 518
S	89	—Act No. 85- 234
S	94	—Act No. 85- 656
S	107	—Act No. 85- 519
S	111	—Act No. 85- 365
S	117	—Act No. 85- 238
S	121	—Act No. 85- 525
S	122	—Act No. 85- 644
S	124	—Act No. 85- 457
S	130	—Act No. 85- 499
S	140	—Act No. 85- 574
S	155	—Act No. 85- 313
S	162	—Act No. 85- 653
S	191	—Act No. 85- 358
S	212	—Act No. 85- 631
S	215	—Act No. 85- 353
S	218	—Act No. 85- 666
S	240	—Act No. 85- 637
S	262	—Act No. 85- 237
S	264	—Act No. 85- 228
S	265	—Act No. 85- 235
S	270	—Act No. 85- 310
S	272	—Act No. 85- 233
S	273	—Act No. 85- 282
S	276	—Act No. 85- 546
S	280	—Act No. 85- 642
S	285	—Act No. 85- 649
S	286	—Act No. 85- 547
S	287	—Act No. 85- 548
S	305	—Act No. 85- 662
S	386	—Act No. 85- 663
S	407	—Act No. 85- 318
S	408	—Act No. 85- 319
S	409	—Act No. 85- 314
S	410	—Act No. 85- 316
S	411	—Act No. 85- 661
S	422	—Act No. 85- 315
S	428	—Act No. 85- 317
S	435	—Act No. 85- 658
S	450	—Act No. 85- 655
S	453	—Act No. 85- 651
S	487	—Act No. 85- 654
S	492	—Act No. 85- 549
S	506	—Act No. 85- 463
S	511	—Act No. 85- 665
S	512	—Act No. 85- 480
S	555	—Act No. 85- 659
S	584	—Act No. 85- 636
S	585	—Act No. 85- 635
S	594	—Act No. 85- 464
S	600	—Act No. 85- 483
S	601	—Act No. 85- 485
S	602	—Act No. 85- 481
S	603	—Act No. 85- 487
S	604	—Act No. 85- 486

S	607	—Act No. 85-	465
S	614	—Act No. 85-	643
S	628	—Act No. 85-	482
S	633	—Act No. 85-	488
S	636	—Act No. 85-	523
S	637	—Act No. 85-	632
S	641	—Act No. 85-	660
S	643	—Act No. 85-	640
S	649	—Act No. 85-	664
S	660	—Act No. 85-	641
S	672	—Act No. 85-	650
S	680	—Act No. 85-	460
S	681	—Act No. 85-	461
S	691	—Act No. 85-	639
S	695	—Act No. 85-	514
S	705	—Act No. 85-	633
S	706	—Act No. 85-	634
S	707	—Act No. 85-	629
SJR	3	—Act No. 85-	145
SJR	4	—Act No. 85-	144
SJR	6	—Act No. 85-	184
SJR	7	—Act No. 85-	152
SJR	8	—Act No. 85-	458
SJR	12	—Act No. 85-	151
SJR	13	—Act No. 85-	150
SJR	17	—Act No. 85-	149
SJR	18	—Act No. 85-	148
SJR	22	—Act No. 85-	146
SJR	26	—Act No. 85-	147
SJR	29	—Act No. 85-	225
SJR	35	—Act No. 85-	226
SJR	39	—Act No. 85-	227
SJR	42	—Act No. 85-	240
SJR	43	—Act No. 85-	241
SJR	46	—Act No. 85-	242
SJR	47	—Act No. 85-	243
SJR	48	—Act No. 85-	244
SJR	50	—Act No. 85-	668
SJR	57	—Act No. 85-	245
SJR	65	—Act No. 85-	246
SJR	66	—Act No. 85-	247
SJR	69	—Act No. 85-	248
SJR	70	—Act No. 85-	249
SJR	71	—Act No. 85-	250
SJR	72	—Act No. 85-	251
SJR	73	—Act No. 85-	252
SJR	74	—Act No. 85-	253
SJR	75	—Act No. 85-	254
SJR	76	—Act No. 85-	255
SJR	77	—Act No. 85-	256
SJR	82	—Act No. 85-	257
SJR	83	—Act No. 85-	258
SJR	86	—Act No. 85-	259
SJR	88	—Act No. 85-	260
SJR	89	—Act No. 85-	261
SJR	90	—Act No. 85-	262

SJR	92	—Act	No. 85-	263
SJR	93	—Act	No. 85-	264
SJR	100	—Act	No. 85-	265
SJR	101	—Act	No. 85-	266
SJR	102	—Act	No. 85-	280
SJR	105	—Act	No. 85-	320
SJR	110	—Act	No. 85-	321
SJR	111	—Act	No. 85-	322
SJR	112	—Act	No. 85-	323
SJR	114	—Act	No. 85-	667
SJR	123	—Act	No. 85-	669
SJR	126	—Act	No. 85-	324
SJR	127	—Act	No. 85-	325
SJR	132	—Act	No. 85-	326
SJR	142	—Act	No. 85-	327
SJR	143	—Act	No. 85-	328
SJR	144	—Act	No. 85-	329
SJR	145	—Act	No. 85-	330
SJR	147	—Act	No. 85-	331
SJR	153	—Act	No. 85-	354
SJR	157	—Act	No. 85-	355
SJR	158	—Act	No. 85-	356
SJR	159	—Act	No. 85-	357
SJR	161	—Act	No. 85-	382
SJR	162	—Act	No. 85-	381
SJR	163	—Act	No. 85-	380
SJR	165	—Act	No. 85-	377
SJR	166	—Act	No. 85-	378
SJR	170	—Act	No. 85-	376
SJR	171	—Act	No. 85-	375
SJR	172	—Act	No. 85-	374
SJR	178	—Act	No. 85-	373
SJR	179	—Act	No. 85-	379
SJR	180	—Act	No. 85-	372
SJR	181	—Act	No. 85-	371
SJR	182	—Act	No. 85-	370
SJR	186	—Act	No. 85-	369
SJR	187	—Act	No. 85-	368
SJR	188	—Act	No. 85-	367
SJR	190	—Act	No. 85-	366
SJR	194	—Act	No. 85-	500
SJR	200	—Act	No. 85-	501
SJR	201	—Act	No. 85-	502
SJR	205	—Act	No. 85-	503
SJR	207	—Act	No. 85-	504
SJR	209	—Act	No. 85-	505
SJR	210	—Act	No. 85-	506
SJR	211	—Act	No. 85-	507
SJR	213	—Act	No. 85-	508
SJR	215	—Act	No. 85-	484
SJR	219	—Act	No. 85-	509
SJR	220	—Act	No. 85-	510
SJR	224	—Act	No. 85-	511
SJR	227	—Act	No. 85-	670
SJR	228	—Act	No. 85-	512
SJR	229	—Act	No. 85-	513

SJR 231 —Act No. 85- 672
SJR 233 —Act No. 85- 671
SJR 238 —Act No. 85- 674
SJR 239 —Act No. 85- 673
SJR 240 —Act No. 85- 675
SJR 241 —Act No. 85- 676
SJR 246 —Act No. 85- 677
SJR 263 —Act No. 85- 678
SJR 295 —Act No. 85- 679
SJR 306 —Act No. 85- 680